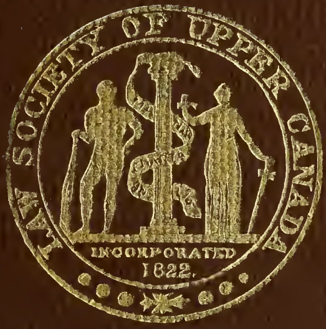
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The Law Society of Upper Canada

RECORD OF PROCEEDINGS

AND

The Address delivered by His Excellency Lord Tweedsmuir of Elsfield, Governor-General of Canada, to
the Law Society of Upper Canada on the occasion of his Call to the Bar and his election
as an Honorary Bencher of the Society
on Friday the twenty-first day of
February, one thousand nine
hundred and thirty-six.

Sig. next preceding index.

A SPECIAL CONVOCATION OF THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA WAS HELD AT OSGOODE HALL, TORONTO, ON FRIDAY THE TWENTY-FIRST DAY OF FEBRUARY, 1936, FOR THE PURPOSE OF CONFERRING THE DEGREE OF BARRISTER-AT-LAW UPON HIS EXCELLENCY THE RIGHT HONOURABLE LORD TWEEDSMUIR OF ELSFIELD, GOVERNOR-GENERAL OF CANADA, AND OF ELECTING HIM AS AN HONORARY BENCHER OF THE SOCIETY.

The following Benchers were present: The Treasurer, The Honourable N. W. Rowell, K.C., P.C.; The Honourable A. W. Roebuck, K.C.; Mr. W. H. Price, K.C.; The Honourable F. J. Hughes, K.C.; The Honourable G. R. Geary, K.C., P.C.; Mr. W. N. Tilley, K.C.; Mr. I. F. Hellmuth, K.C.; Mr. M. H. Ludwig, K.C.; Mr. T. D. Cowper, K.C.; Mr. J. S. Denison, K.C.; Mr. C. L. Dunbar, K.C.; The Honourable W. A. Gordon, K.C., P.C.; Mr. G. F. Henderson, K.C.; Mr. F. D. Kerr, K.C.; Mr. J. R. Marshall, K.C.; Mr. G. W. Mason, K.C.; Mr. W. S. Middlebro', K.C.; Mr. D. L. McCarthy, K.C.; Mr. Charles McCrea, K.C.; Mr. G. G. McPherson, K.C.; Mr. W. N. Ponton, K.C.; Mr. R. S. Robertson, K.C.; Mr. J. H. Rodd, K.C.; Mr. W. E. N. Sinclair, K.C.; Mr. H. D. Smith, K.C.; Mr. G. L. Smith, K.C.; The Honourable J. H. Spence, K.C.; Mr. Edmund Sweet, K.C.; Mr. G. A. Urquhart, K.C.; Mr. J. B. Walkem, K.C.; Mr. Ward Wright, K.C.; Mr. McGregor Young, K.C.

The following invited guests were also present: The Right Honourable The Chief Justice of Ontario; The Honourable Chief Justice Latchford; The Honourable Chief Justice Rose; The Honourable Mr. Justice Riddell; The Honourable Mr. Justice Middleton; The Honourable Mr. Justice Kelly; The Honourable Mr. Justice Masten; The Honourable Mr. Justice Fisher; The Honourable Mr. Justice Kingstone; The Honourable Mr. Justice Macdonnell; The Honourable Mr. Justice McFarland; The Honourable Mr. Justice McEvoy; The Honourable Mr. Justice Makins; The Honourable Mr. Justice Henderson; The Honourable Mr. Justice McTague; The Honourable Mr. Justice Hogg; His Honour Judge Parker; Mr. F. H. Barlow, K.C.

A large number of members of the Bar were also present.

The Benchers, invited guests and members of the Bar attended in robes.

The Honourable N. W. Rowell, K.C., P.C., the Treasurer of the Society, accompanied by Mr. M. H. Ludwig, K.C., Mr. G. L. Smith, K.C., and the Secretary, received His Excellency at the Benchers' entrance of Osgoode Hall.

His Excellency was accompanied by Captain M. E. Adeane, A.D.C., and A. S. Redfern, Esquire, Secretary.

The Treasurer escorted His Excellency and staff to the Benchers' Convocation Room where the Benchers and Judges were assembled and were presented to His Excellency.

The meeting of Convocation took place at the easterly end of the Great Library on a dais on which were seated His Excellency and staff and the Benchers present. The members of the Judiciary and other guests invited to be present and members of the Law Society occupied seats in the Library.

His Excellency was presented for Call to the Bar and for conferring of the degree of Barrister-at-Law by Mr. M. H. Ludwig, K.C., in these words:

> "Mr. Treasurer, I have the great honour of presenting to you and to the Benchers of the Law Society of Upper Canada, for Call to the Bar of Ontario, His Excellency The Right Honourable Lord Tweedsmuir of Elsfield, Governor-General of Canada, a Barrister of the Middle Temple."

The Treasurer addressed His Excellency as follows:

> "Your Excellency, it is a long-settled custom of this Society that on the occasion of a Call to the Bar the Treasurer should address the candidates for Call, giving them advice and admonition as to how they should practise their profession. As Your Excellency's public duties will prevent you from entering upon the practice of your profession in this Province for some years to come, these words of advice and

> admonition may be dispensed with, and I forego this privilege with greater pleasure because in a few minutes we are to receive words of advice and admonition from you.
>
> On behalf of Convocation I confer upon you the degree of Barrister-at-law, and Call you to the Bar of Ontario.''

His Excellency thereupon signed the Roll of Barristers.

Mr. I. F. Hellmuth, K.C., then moved a resolution for the election of His Excellency as an Honorary Bencher in the following words:

> ''Mr. Treasurer, the Honour and privilege has been accorded me of proposing a Resolution which I am sure will meet with the heartfelt approval of everybody present, but first let me say this is a red-letter day for Osgoode Hall, one long to be remembered.
>
> It is the first occasion in which we have had within our walls a Governor-General of Canada who is a member of our profession. We have had many great statesmen as Governors-General, we have had great generals as Governors-General, and we have had a member of the Royal Family as Governor-General, but we have never before had a member of our Bar as Governor-General. Gentlemen, you have already heard that His Excellency is a member of the Middle Temple, one of the old Inns of Court of the Motherland, but he is more than that, he is a Bencher of the Middle Temple. His Excellency, however, has not confined his attention to law. Everyone has recognized his eminence in the literary field. Who, whether old or young, has not been thrilled with his novels or works of fiction such as *The 39 Steps, Greenmantle, The Three Hostages,* and a host of others, and who has not admired his efforts in the historical field and his delineations of such characters as Montrose and Oliver Cromwell?
>
> Again, the versatility of His Excellency is such that he has occupied many posts in the service of The Crown, and all with distinction. He has also had a notable political career.

I think I may say that although we have come to respect and honour His Excellency as Governor-General of Canada, long before that we had esteemed and admired the man, John Buchan.

The Resolution I am about to move is that His Excellency Lord Tweedsmuir, be elected and enrolled as an Honorary Bencher of the Law Society of Upper Canada, a no mean Society, having a history of some one hundred and forty years."

The motion was seconded by Mr. W. E. N. Sinclair, K.C.

The motion was thereupon carried unanimously on a standing vote.

His Excellency thereupon addressed the meeting as follows:

"Mr. Treasurer, My Lords, Ladies and Gentlemen: You have done me a great honour and a great kindness, for which I offer you my sincerest thanks. It delights me to be back again among lawyers, for I feel that I am renewing my youth. In the words of the Roman poet, I, too, have lived in Arcadia; I, too, have been a lawyer. Thirty-five years ago I was Called to the English Bar, after having been ploughed once in my Bar Final, in company with a friend who is to-day one of the chief ornaments of the English Bench. I am, in a sense, a link with the past, for I was the last pupil of that great man, John Andrew Hamilton, afterwards Lord Sumner, before he took silk. I devilled occasionally for Sir Robert Finlay in the days when he was Attorney-General. On the advice of Lord Haldane I wrote a law book on that obscure topic *The Taxation of Foreign Income,* which was for a good many years the only treatise on the subject. So, gentlemen, you will see that at one time in my life I was really respectable.

Then I fell from grace. I left the pastoral uplands of the law for the low levels of commerce, and in my future relations with Courts of Justice I had to content myself either with the insignificant position of the lay client, or the dulness of the jury box or the witness box, though so far I have escaped the garish and uncomfortable notoriety of the dock. But now I seem to have been forgiven my backsliding. Last Summer I was made a Bencher of my old Inn, the Middle Temple; to-day you have deeply honoured me by making me an honorary member of the Bar of Upper Canada.

But though I ceased to practise law I did not lose my interest in it. Once a lawyer, always a lawyer. At home, I have been accustomed to read the law reports in 'The Times' before I read anything else in that paper, and, indeed, I should do the same thing to-day if I could only find the law reports in your admirable Canadian press.

The popular mind has always amused itself with ribaldry at our expense. There is a proverb of my own country of Scotland which runs something like this—'Hame's aye hame, as the Devil said when he found himself in the Court of Session'. And I have heard the Latin tag *nemo repente fuit turpissimus*—'no one becomes very bad all at once'—translated 'It takes five years to become a solicitor'. Gentlemen, just as hypocrisy is the tribute which vice pays to virtue, so I regard this popular ribaldry as the tribute which folly pays to wisdom.

I have had many professions, but there is none for which I have a higher regard than the Law. For one thing I do not think any profession excels ours in its strict standard of honour. I do not think there is any profession, too, so free from petty jealousy or so ready to admire proved ability. And in these days there are few professions more difficult. Without doubt our bodies are fearfully and wonderfully made, and the doctors have an intricate task; and theological questions do not get easier as time goes on, so the parsons have a difficult task. But I am very sure that no other profession has harder problems than ours. We have to face the eternal paradox—that laws are made in their final form by Parliaments and Congresses—that is, by people not perfectly adapted for the task, with the result that experts have to spend their lives interpreting them. This task does not grow easier in these days of superabundant legislation, when the lawyer has often to straighten out the tangle left by the legislatures. To-day, I fear, too many modern Acts of Parliament, at least in Britain, have, as someone has said, all the appearance of lucidity and all the reality of confusion. Well, a tough job keeps a man young and keeps his mind active. I am always struck with the enduring vitality of lawyers, and that is one reason why I say that in coming among you I am renewing my youth.

But gentlemen, we have one great consolation. I have heard an atheist defined as a man who had no invisible means of support. You have always an invisible means of support in the reflection that the law which you interpret is, with all its imperfections, the true cement of civilization. Here in Canada, as in England, as in the United States, we have as a precious heritage that body of customs and principles which we know as the Common Law. Like the British Constitution, it is an organic thing, the growth of which never ceases. Like the British Constitution, too, it is largely unwritten.

Blackstone's great work is an essay on the subject rather than a digest. It is your business not only to interpret that body of doctrine, but to enlarge it and to adapt it to the needs of a changing world. Law, I think, should be regarded as an elastic tissue which clothes the growing body. That tissue, that garment, must fit exactly. If it is too tight it will split, and you will have revolution and lawlessness, as we have seen at various times in our history when the law was allowed to become a strait-waistcoat. If it is too loose it will trip us up and impede our movements. Law, therefore, should not be too far behind or too far ahead of the growth of society, but should coincide as nearly as possible with that growth. Therefore, it is your duty not merely to interpret a body of doctrine, but in your interpretation to keep it in close touch with contemporary life. You can never be pedants, or you will not be good lawyers. It was a wise saying of my old friend at Washington, Mr. Justice Oliver Wendell Holmes, that 'the life of the law is not logic but experience'.

The task of the lawyer to-day is an intricate one, but it is a living one. I have called the law the chief bond of civilization. It is also one of the chief bonds which link the British Empire together. Many of you will remember that famous occasion eleven years ago in Westminster Hall, when the lawyers of Britain and the lawyers of the Empire and the lawyers of the United States met to pay homage to the rock whence they were hewn. It is also one of our chief ties with that great nation south of our four thousand miles of undefended frontier. Jeremy Bentham warned the United States to 'shut their ports against the Common Law as they would against the plague', but happily the United States did not follow his advice. They made our Common Law their own law, and through a succession of eminent Judges, beginning with Story and John Marshall, they built up on it the groundwork of their national life.

So, gentlemen, we have cause to be proud of our profession. You are assisting in providing and administering that rational code of conduct, that union of discipline and liberty, without which no society can be wholesome and no nation can live.''

CONVOCATION THEN ROSE.

Following Convocation His Excellency and staff and the invited guests were entertained at luncheon by the Benchers.

MEETING OF CONVOCATION.

Thursday, 18th June, 1936.

Present: The Treasurer and Messrs. Aylen, Boys, Bullen, Carson, Davis, Denison, Dunbar, Fuller, Geary, Hays, Kerr, King, Lucas, Ludwig, Marshall, Mason, Middlebro, McCarthy, McCrea, McPherson, McRuer, Ponton, Robertson, Rodd, Seymour, Shaver, Sinclair, Smith, G. L., Sweet, White and Young.

Special Proceedings—Call to the Bar.

The Treasurer announced the special proceedings for Call to the Bar pursuant to resolution of Convocation of 20th February, 1936.

ON MOTION of Mr. Ludwig it was ordered that the first order of business be the reception of the report of the Legal Education Committee.

LEGAL EDUCATION COMMITTEE REPORT

Mr. Ludwig.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their application:

I. GRADUATES	DATE
1. Walter Halcro Calvin Boyd	28th May, 1936.
2. Wilmot Hagarty Broughall	9th June, 1936.
3. Charles Hamilton Doolittle	30th May, 1936
4. Hugh John Findlay	1st June, 1936
5. Kenneth Archibald Foulds	8th June, 1936.
6. William Goldwin Carrington Howland	6th June, 1936
7. Arthur William Mulock Kirkpatrick	6th June, 1936.
8. John Mirsky	6th June, 1936.
9. Mervin Mirsky	6th June, 1936.

I. GRADUATES	DATE
10. David James Ongley	27th May, 1936.
11. Hugh Ramsay Park	14th May, 1936.
12. John Mitchell Sutherland	6th June, 1936.
13. Edward Lloyd Sparling	15th June, 1934.
II. MATRICULANTS	
14. Walter Harold Howell	18th May, 1936.

EXAMINATION RESULTS—EASTER 1936.

Honours—Third Year.

The following candidates are entitled to be passed with Honours:

1. Abraham Acker.
2. J. R. Anderson.
3. D. F. F. Hall.
4. M. Hancock.
5. J. W. Graham.
6. A. B. Jackson.
7. W. J. Smith.
8. B. Laskin.
9. J. C. Denison.
10. J. C. Osborne.
11. J. T. A. Gamble.
12. D. A. McIntosh.

Scholarships—Third Year.

ABRAHAM ACKER, J. R. ANDERSON, and D. F. F. HALL are equal for first place and the Committee recommend that the Chancellor Van Koughnet Scholarship of $400, the Christopher Robinson Memorial Scholarship of $100, and the Matthew Wilson Memorial Scholarship of $45 be divided equally among them.

J. R. ANDERSON, being in due course, having been awarded the highest marks in the subject of Trusts, the Committee recommend that the Clara Brett Martin Memorial Scholarship of $25 be awarded to him.

CERTIFICATE OF FITNESS—SPECIAL.

MISS ELSIE DOROTHY MILLS, a Solicitor of the Province of Manitoba was granted a Certificate of Fitness to practise as a Solicitor under Rule 136(e).

RE AMENDMENT OF RULES 86 AND 88.

The Motion to amend the Rules of the Society as to admission requirements and the letter of the Osgoode Hall Legal and Literary Society referred to this Committee by Convocation, were before the Committee for consideration.

The Committee requests that further time be given for consideration and report.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the candidates, their families and friends. The following gentlemen who had been duly certified as entitled thereto, were introduced by the Chairman of the Legal Education Committee and were Called to the Bar:

1. Philip Redmond Hurcomb.
2. Aaron Sobel.
3. John Galbraith Abraham (with Honours).
4. John Richard Anderson (with Honours, Gold Medal, awarded Clara Brett Martin Memorial Scholarship, and equal with two others for Chancellor Van Koughnet, Christopher Robinson Memorial and Matthew Wilson Memorial Scholarships).
5. Frederick McIntosh Cass.
6. John Charles Denison (with Honours).
7. Howard Ross Douglas.
8. John Webb Graham (with Honours).
9. Alexander LeRoy Gray.
10. Wilfrid Palmer Gregory.
11. Frederick Robert Hume.
12. Peter John Baldwin Lash.
13. Gordon Robertson MacNamara.
14. Kenneth Garfield Partridge.
15. Richard Whittaker Reville.

16. John Gaskin Wallace Sands.
17. Abraham Acker (with Honours, Gold Medal, and equal with two others for Chancellor Van Koughnet, Christopher Robinson Memorial and Matthew Wilson Memorial Scholarships).
18. Milton Erele Armstrong.
19. Francis Joseph Cornish.
20. Robert Alexander Cranston.
21. George Herbon Crewe.
22. Harry Roswell Deyman.
23. Lawrence Arthur Deziel.
24. William Carroll Grant.
25. Donald Francis Fulton Hall (with Honours, Silver Medal, and equal with two others for Chancellor Van Koughnet, Christopher Robinson Memorial and Matthew Wilson Memorial Scholarships).
26. Albert Edwin Honeywell.
27. Isaac Elmore Houser.
28. Sharman Ketchen Learie.
29. John McLean Magwood.
30. James Joseph Matthews.
31. Donald Alexander McIntosh (with Honours).
32. Kenneth Duncan MacLennan.
33. Peter Stuart Mackenzie.
34. Hugh Alexander Coulson Rose.
35. Nathaniel Herbert Shaw.
36. William John Smith (with Honours).
37. Sherald Edward Stewart.
38. Roy Bradley Trott.
39. Harry Waisberg.
40. George Ernest Wallace.
41. Stuart Frederick Macpherson Wotherspoon.
42. David Petegorsky.
43. John Alexander Fraser Miller (Special—Nova Scotia).
44. Gordon Eugene MacMillan (Special — Nova Scotia).

The Treasurer, The Honourable N. W. Rowell, made a short address to the gentlemen who were Called to the Bar.

PRESENTATION OF MEDALS.

MR. ABRAHAM ACKER and MR. JOHN RICHARD ANDERSON were presented with the Gold Medals and MR. DONALD FRANCIS FULTON HALL with the Silver Medal, awarded to them at the Easter 1936 examinations.

The candidates were then escorted by Mr. Ludwig to the Court Room where Chief Justice Rose presided, and were introduced to the Court and took the oath of allegiance and the Barristers' oath.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of May 21st, 1936, were read and confirmed.

FINANCE COMMITTEE REPORT

Mr. G. L. Smith.

MONTHLY STATEMENT, MAY, 1936.

The usual monthly statement was presented.

ARREARS OF ANNUAL FEES.

A list of Solicitors and Barristers in arrears is submitted. Since the last report:

11 have paid in full.
6 have made payments on account.

Notice of Motion for suspension has been served on seven solicitors who are in arrears for more than two years.

RE LIBRARY EXTENSION.

The Attorney-General accompanied by Mr. Chester Walters, Deputy Minister of Public Works and Mr. George White, Architect of the Public Works Department, visited Osgoode Hall on Saturday, June 13th and were met by Mr. G. L. Smith, the Chairman of the Finance Committee, when the extension of Osgoode Hall library, under consideration for many years, was discussed.

The Attorney-General proposed that a building be erected on the grounds to the west of the present west wing, a report of such proposal appearing in the evening papers of June 13th, 1936.

The Committee considered the proposal at a meeting on June 16th and were of opinion that the attention of the Attorney-General should be called to the agreement limiting the use to which the property could be had.

The Committee requests Convocation to authorize it to bring before Convocation, at the earliest possible moment, a definite plan and report to provide the necessary Library accommodation, and, better accommodation for the members of the profession, and, for this purpose to authorize the Committee to make some reasonable expenditure for the employment of an Architect in order to obtain plans, specifications and estimates of the proposed requirements.

RE REPORTING COMMITTEE.

The Committee approves of the expenditure proposed by the Reporting Committee in their report of June 12th with reference to the employment of part-time reporters.

RE WOMEN BARRISTERS ROBING ROOM.

The Committee recommends that the women Barristers be offered the use of the small room opposite the Barristers robing room as a temporary room for their requirements.

THE REPORT WAS ADOPTED.

ORDERED that the matter of the LIBRARY EXTENSION and of the uses to which buildings on Osgoode Hall property are limited under the existing agreement between the Society and the Province be taken up with the Attorney-General with special reference to the Society's position and with a view to co-operation with the Attorney-General.

ORDERED that the Finance Committee be authorized to employ an architect to make sketch plans, specifications and estimates to meet the needs of the Society.

DISCIPLINE COMMITTEE REPORTS.

Re Warren Smythe.

Mr. Robertson presented the report of the Discipline Committee herein.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Warren Smythe, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted, to the effect

THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Warren Smythe guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Warren Smythe be disbarred.

THAT the said Warren Smythe is unworthy to practise as a Solicitor.

Re William Edward Fitzgerald.

Mr. Robertson presented the report of the Discipline Committee herein.

The Solicitor appeared and addressed Convocation on his own behalf.

The Report of the Discipline Committee in the matter of William Edward Fitzgerald, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted, to the effect

THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said William Edward Fitzgerald guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said William Edward Fitzgerald be suspended from practice as a Barrister and Solicitor for the period of one year from the 18th day of June, 1936.

RE JOSEPH ALOYSIUS O'BRIEN.

Convocation considered the application of the above mentioned former barrister and solicitor for reinstatement and resolved that his petition be refused.

REPORTING COMMITTEE REPORT

Mr. Denison.

Mr. J. S. Denison was elected Chairman.

1. For some time the Committee has been considering the improvement of the reports of arguments of counsel in the Ontario Reports.

The Committee therefore recommends that the present system of employing two reporters at a salary of $1,500.00 a year each, be abolished.

The Committee further recommends that the following new scheme be adopted for the reporting of arguments:

Reporters should be in constant attendance in the Court of Appeal. As to the Weekly Court and the Toronto Non-Jury Courts, reporters should be in attendance there when a case which is known to be important is being argued. The reporting work should be performed by young Barristers who would be willing to do this work on a part time basis. The Editor would keep a list of such young Barristers to whom he could assign work in the Courts when convenient for them. Subject to further enlargement or change by the Chairman of the Reporting Committee and the Editor, the names of the young Barristers suggested are as follows:

R. M. Fowler.
W. L. Wallace.
R. H. Soward.
John Hunter.
W. E. P. DeRoche.
Harold Kemp.
Wilfred Judson.
John Arnup.
Wishart Spence.
Roy Cadwell.
L. A. Doyle.

Under this scheme, these young Barristers would be available for work on a part time basis and they should be paid at the rate of $7.50 for each day in which they are in attendance on the Courts. Based on the supposition that there would be 300 working days in a year for all the reporters combined, the estimated cost of working the proposed scheme in a given year would amount to $2,250.00. This estimate will not be exceeded without the approval of the Finance Committee and the recommendation is to come into force on September 1st, 1936.

The Committee recommends that particulars of Statutes proclaimed should be reprinted from the Ontario Gazette and from the Canada Gazette in the Weekly Notes for the week following.

The Committee recommends that the dates of argument and of judgment of reported cases be inserted in the Society's reports.

The Committee recommends that the proceedings of Convocation be published in the Ontario Reports monthly in narrative and abbreviated form to be prepared by the Secretary and approved by the Treasurer or Chairman of Convocation.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT

Mr. Young.

1. Mr. McGregor Young, K.C., was elected Chairman.

2. A letter dated June 4th was received from the Royal Canadian Institute offering to present 15 volumes of Patent Journals to the Library.

The Committee owing to limited shelving space gratefully declined the offer.

3. A letter dated 20th April was received from The Carswell Company in reference to supplying a copy of Wrinch's Cases Judicially Noticed 1929-35 to each County Library.

The Committee recommend that no action be taken at present.

4. A letter dated June 11th was received from Canadian Law List Company in reference to supplying County Law Libraries with copies of work "Index to Private Acts, 1867-1936."

The Committee recommend that no action be taken in the matter.

5. A letter dated 3rd April was received from Messrs. Blake & Redden in reference to the position of the Canadian Law Library, London, England.

The above firm have been in charge of the library since 1897 and the library receives an annual grant of $350.00 from the Dominion Government.

The Committee recommend that the matter stand referred to a Special Committee composed of The Treasurer, the Chairman, Mr. McCarthy, K.C., Mr. Carson and Mr. Bullen, K.C.

THE REPORT WAS ADOPTED.

ENCROACHMENTS COMMITTEE REPORT

Mr. Mason.

Mr. G. W. Mason, K.C., was elected Chairman.

The Motion respecting accounts of Solicitors and the employment of a permanent travelling auditor, referred to this Committee by Convocation, was before the Committee for consideration and sub-committees have been appointed the members of which will explore the experiences in England and in the western provinces with respect to the rules there in force. The sub-committees will report to the next meeting of the Committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT

Mr. Marshall.

1. The Committee on June 18th appointed Mr. George F. Henderson, K.C., of Ottawa, as Chairman, and Mr. J. R. Marshall, K.C., of Hamilton, as vice-chairman.

2. A letter from The Carswell Company, Limited regarding supplying the County Law Libraries with a copy of Wrinch's Cases Noticed (supplement) was considered.

On motion it was left to the local libraries to decide as to purchasing same for themselves.

A further motion was carried that the book be recommended to the County Law Libraries.

3. It was decided to have a copy of the Annotations made by the Librarians of the Great Library sent to each of the County Libraries for the purpose of assisting them in keeping their annotations up to date.

4. The report on Inspection of County Libraries by the Chief Librarian was referred to the next meeting of the Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE TORONTO LEGAL AID BUREAU

Mr. Robertson.

The Committee appointed to consider the matter of the Toronto Legal Aid Bureau formed by junior members of the Toronto Bar to give free legal advice to persons on relief, beg leave to report as follows:

The Committee met with two members of the Toronto Legal Aid Bureau to consider the project and the regulations submitted by the Bureau. The Committee recommend that Convocation should heartily endorse the project and commend the members of the Junior Bar for their public spirit and unselfish enterprise in undertaking a much needed work. Their plans extend somewhat beyond the mere giving of free legal advice and extend to the rendering of other legal services to persons on relief.

The Committee have considered the regulations submitted to Convocation by the Trustees of the Bureau and approve them subject to some minor changes suggested by the Committee to the Members of the Bureau who were present at the meeting of the Committee. The Bureau is a flexible organization under the direction of a Board of Trustees chosen by the Junior Bar from its members and reconsideration and alteration of the regulations can be made as experience gained in the work of the Bureau may indicate to be advisable. The Trustees desire that as occasion may arise they should have the right to consult the members of your Committee on any of their problems and subject to the approval of Convocation the Committee propose that this be agreed to.

The Bureau has some necessary expenses, not only for its own operation but at times for disbursements incidental to steps taken on behalf of persons seeking their assistance. Their regulations provide that persons seeking legal aid shall be informed that if possible a fee not exceeding fifty cents shall be paid, the money to be used for the expenses of the Bureau, but the experience has been that the persons applying to them could not be asked to pay anything. The result has been in some cases that the disbursements have come from the pocket of the legal adviser. The Committee recommend that Convocation put the Trustees in funds to the extent of $50.00 to be used for the work of the Bureau.

The Committee further recommend that the Bar in other larger centres, such as Hamilton, Ottawa, London and Windsor be requested to establish similar Bureaus. Members of the Toronto Junior Bar had already initiated some steps towards this end. The Committee recommends that the Secretary of the Law Society write the County Law Associations at the above named Cities with regard to the matter. This may be followed by similar action in other cities and towns when the system has further developed.

THE REPORT WAS ADOPTED and it was directed that a copy be sent to the Bureau together with a letter endorsing the project and commending the Trustees and Members for their work.

SPECIAL COMMITTEE RE QUEBEC LAWYERS

The Treasurer.

The Special Committee appointed to consider the question of amending the Statutes to allow Quebec lawyers to appear before the Criminal Courts in Ontario, begs leave to report as follows:

After consideration of letters from members of the Committee who reside and practise in Eastern Ontario and after considering a report on the attitude of members of the Bar in and about Ottawa, the Committee recommends that no action be taken.

THE REPORT WAS ADOPTED.

MOTIONS.

Mr. Aylen having given due notice, moved as follows:

1. That among the proposed alterations to be made to Osgoode Hall be included a waiting room and possibly a lunch room for Barristers.

ORDERED that the matter be referred to the Finance Committee for consideration.

2. That the fees payable by Solicitors be increased by an amount sufficient to make provision for the maintenance of County Libraries, and that there be remitted to the various County Associations an amount based on their membership as a grant to provide for the upkeep of a library and that, where necessary a grant be made to the smaller Associations sufficient to enable them to maintain the Ontario Reports at least.

ORDERED that the matter be referred to the County Libraries Committee for consideration and that a copy be sent to each member of the Committee.

CORRESPONDENCE.

The Treasurer read a letter from the Secretary to the Governor-General enclosing a letter from the Keeper of the Privy Purse, Buckingham Palace, informing the Society that His Majesty had been graciously pleased to continue his association with the Law Society of Upper Canada as an Honorary Bencher. The letter of the Keeper of the Privy Purse is as follows:

"Privy Purse Office,
Buckingham Palace, S.W.,
3rd June, 1936.

"Dear Sir,

I am commanded by The King to inform you that His Majesty has been graciously pleased to continue his association with the Law Society of Upper Canada as an Honorary Bencher.

Yours truly,

'WIGRAM'

Keeper of the Privy Purse."

The President,
The Law Society of Upper Canada,
Osgoode Hall,
Toronto 2.

Convocation recorded its sincere appreciation of the great honour which His Majesty had been graciously pleased to confer upon the Society and its devotion to the Crown and Person of His Majesty.

The Treasurer spoke of the proposed visit of Lord Thankerton in September and it was ordered that the Benchers give a luncheon in his honour.

CONVOCATION THEN ROSE.

MEETING OF CONVOCATION.

Thursday, 17th September, 1936.

Present: The Treasurer, Sir William Mulock, and Messrs. Aylen, Carson, Denison, Dunbar, Fuller, Geary, Hays, Kerr, King, Lucas, Ludwig, Marshall, Mason, Middlebro, McCarthy, McCrea, McPherson, McRuer, Ponton, Robertson, Seymour, Sims, Smith, G. L., Smith, H.D., Smith, Hon. Robert, Sweet, Urquhart, Walsh, White, and Young.

The Minutes of the meeting of the 18th of June, 1936, were read and confirmed.

FINANCE COMMITTEE REPORT

Mr. G. L. Smith.

Monthly Statement, July and August, 1936.

The usual monthly statement was presented.

Alterations and Repairs.

Fresh plans for the proposed alterations to the Buildings have been submitted by the Architect and the Committee will report the matter again after consideration, at the next meeting of Convocation.

Grounds.

The Committee recommends that authority be given by Convocation to carry out the re-sodding and improvements to the west lawn in conjunction with the Department of Works of the Ontario Government.

THE REPORT WAS ADOPTED.

LEGAL EDUCATION COMMITTEE REPORT

Mr. Ludwig.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	GRADUATES	DATE
1.	Joseph Flavelle Barrett	11th June, 1936.
2.	Stanley Champion Biggs	12th June, 1936.
3.	Franck Holton Britton	15th June, 1936.
4.	Ronald George Burrows	10th June, 1936.
5.	George Edward Burson	15th June, 1936.
6.	Wallace Card	9th June, 1936.
7.	Donald William Massie Cooper	13th June, 1936.
8.	Gregory Thomas Evans	15th June, 1936.
9.	James Alexander Falconer	13th June, 1936.
10.	Reginald Harrop	15th June, 1936.
11.	Jacie Charles Horwitz	13th June, 1936.
12.	John Lewis Jefferies	9th June, 1936.
13.	Arthur Robert Jessup	2nd July, 1936.
14.	Arthur Nixon Kearns	12th June, 1936.
15.	John Sheppard Kilgour	4th June, 1936.
16.	Zebulun Robert Baldwin Lash	15th June, 1936.
17.	Samuel Lerner	17th June, 1936.
18.	Ian Macdonald	26th June, 1936.
19.	William Dickson Macdonald	10th June, 1936.
20.	Eric Laurence Medcalf	8th June, 1936.
21.	Lorne Hazelton Morgan	15th June, 1936.
22.	Ward Hughson Powell	15th June, 1936.
23.	James Palmer Rankin	15th June, 1936.
24.	Allan Edward Robinette	13th June, 1936.
25.	Anderson Rodger	15th June, 1936.
26.	Joseph Frederick Schelter	15th June, 1936.
27.	Frederick Ernest Underhill	7th July, 1936.
28.	Wilbert Ernest West	12th June, 1936.
29.	Jean Charles Aubin	1st September, 1936.
30.	John Thomas Brett	22nd August, 1936.
31.	James Archibald Clare	16th July, 1936.
32.	George Andrew Eaton	28th August, 1936.
33.	Frederic Tristram Egener	3rd September, 1936.
34.	Benedict Gosselin	21st July, 1936.
35.	James Albert Holden	6th August, 1936.
36.	Marjorie Leona Horenblas	28th August, 1936.
37.	James Ian McAskill	19th June, 1936.
38.	Will MacGillivray Pratt	22nd August, 1936.
39.	Sidney Silver	19th August, 1936.
40.	William Basil Stasiv	17th July, 1936.
41.	Terence Alexander Whitbread	27th August, 1936.

GRADUATES	DATE
MATRICULANTS	
42. William Charles Bowan	5th September, 1936.
43. William Albert Donovan	26th August, 1936.
44. George Kenneth Langford	28th August, 1936.
45. Rolfe Nelson Weekes	5th September, 1936.

EXAMINATION RESULTS—Easter, 1936.

Honours—Second Year.

The following candidates are entitled to be passed with Honours:

1. D. E. Calvert.
2. E. Marks.
3. H. Rotenberg.
4. H. L. Fruitman.
5. H. Freshman.
6. A. J. C. Anglin.

Scholarships—Second Year.

The following are entitled to Scholarships:

1. D. E. Calvert	$100.00
2. E. Marks	60.00
3. H. Rotenberg	40.00

Honours—First Year.

The following candidates are entitled to be passed with Honours:

1. G. A. Martin.
2. L. Holness.
3. J. M. Godfrey.
4. J. H. Corrigan.

Scholarships—First Year.

The followings are entitled to Scholarships:

1. G. A. Martin	$100.00
2. L. Holness	60.00
3. J. M. Godfrey	40.00

Dean's Report.

The annual report of the Dean of the Law School for the session 1935-36 is submitted for consideration.

The Committee recommend that the report of the Dean be approved.

H. K. McGlade again asks for leave to repeat his first year. A similar petition was refused in July, 1935. In the year 1934-35 he failed in six out of seven subjects. A memorandum from the Dean is submitted.

The Committee recommend that the petition be refused.

Re Examination for Matriculant Students.

Your Committee has referred the consideration of the Dean's letter with reference to the examinations for Matriculant students, to a special meeting to be called by the Chairman.

On motion of Mr. Ludwig, the report, except as to the special petition of H. K. McGlade was adopted.

After discussion it was moved that the report of the Legal Education Committee as to the special petition of H. K. McGlade be adopted.

It was moved in amendment that the report as to Mr. McGlade be referred back to the Committee for further consideration.

The amendment was carried.

DEAN'S REPORT.

Mr. Ludwig read the thirteenth annual report of the Dean of the Law School for 1935-36, in substance as follows:

Registration of Students.

The number of students registered for attendance at the Law School during the last two years was as follows:

	1934-35	1935-36
First year	154	161
Second year	103	131
Third year	80	100
	337	392

HOURS OF CLASS INSTRUCTION.

The number of hours of class instruction given during the session was as follows:

	First Year	Second Year	Third Year	Total
The Dean	48	70	44	162
Dr. D. A. MacRae	32	48	82	162
Dr. C. A. Wright	56	..	78	134
Mr. A. R. Clute	32	48	42	122
Mr. H. W. A. Foster..	36	36	24	96
Mr. J. J. Robinette ...	78	..	..	78
Mr. W. F. Spence	..	..	30	30
Mr. H. Borden	..	36	..	36
Mr. K. G. Morden	..	42	..	42
Mr. J. W. McFadden..	18	20	..	38
	300	300	300	900

EXCHANGE AND OTHER SPECIAL LECTURES.

No exchange of lectures took place during the session of 1935-1936 but it is hoped that they may later be resumed. It was recommended that authority be given therefore to arrange an exchange and to pay an honorarium of $200.00.

Owing to the absence from Toronto of Mr. J. G. Glassco of Messrs. Clarkson & Co., the lectures on bookkeeping were given during the session of 1935-1936 by Mr. C. A. Patterson and were entirely satisfactory, but as Mr. Glassco will be in Toronto during the ensuing session, it was recommended that Mr. Glassco, or if he should not be available, then Mr. Patterson, be requested to give a course of lectures on bookkeeping to the Third Year and that he receive an honorarium of $200.00.

REGULAR TEACHING STAFF.

It was recommended that the part-time lecturers, namely, Messrs. Clute, Foster, Robinette, Spence, Borden, Morden and McFadden be re-appointed for a term of one year from May 31st, 1936.

CHANGES IN COURSES OF INSTRUCTION.

The changes in the courses of instruction as outlined in the annual report of September 17, 1935, under the heading "Prospective Changes" were carried into effect so far as was possible during the session of 1935-1936. Substantial changes were made in the First Year courses, including the transfer of Criminal Procedure from the Second Year to the First Year, the enlargement of the First Year course in Practice, and the transfer of part of the course in Contracts from the First Year to the Second Year. Consequential changes in the Second Year courses will become effective during the ensuing session.

EXAMINATIONS FOR MATRICULANT STUDENTS.

Rule 86C, as amended on June 20, 1935, provides:

> "Students of the matriculant class shall be required, during or at the end of the period of two years when they are not attending the law school, to pass such examinations as may be prescribed by Convocation."

As pointed out in the annual report of September 17, 1935, all students of the matriculant class were required to attend the law school during the session of 1935-1936, so that it was not necessary to prescribe any examinations during that session under Rule 86C. The time has now arrived, however, when provision must be made for such examinations, and certain recommendations have been made for examinations to be held in May, 1937. The students who will be required to take these examinations will be (1) students who attended the law school in 1935-1936 in the first of their five years of service under articles, and (2) students who attended the law school in 1935-1936 in the second of their five years of service. The matter is being considered by the Legal Education Committee, and that Committee will report to Convocation in due course. At a later date it will be necessary to consider what examinations should be prescribed for May, 1938, for the first of the two classes of students above mentioned.

IT WAS ORDERED that the recommendations of the Dean in his report be approved.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the candidates, their families and friends. The following candidates who had been duly certified as entitled thereto were introduced by the Chairman of the Legal Education Committee and were Called to the Bar:

1. Seymour Hermant.
2. Henry Francis White.
3. Benjamin Alfred Maleyko.
4. Adam Campbell Zimmerman.
5. Murray William Babe.
6. Clarence Edwin Ferguson.
7. John Farley Robertson.
8. Theodore Grenfell Spencer.
9. John Somerset Stephens.
10. John George Black.
11. James Flood Clark.
12. Michael John Devine.
13. Percy Easser.
14. John Telford Archibald Gamble (with Honours).
15. Peter Joseph Macdonald.
16. Gerald Dalton Sanagan.
17. Douglas Cameron Thomas.
18. Robert Earl Agnew.
19. Colin Emerson Bennett.
20. Frederick Roland Charles.
21. William George Deutch.
22. Harry Jerome Goulding.
23. Donald James Grant.
24. Edythe Constance Haughland.
25. John Lewis Leibel.
26. Robert Austin Nicholas.
27. Dalton Gilbert Dean (Special—Rhodes Scholar).
28. Jack Arnold Shapiro (Special—Manitoba).
29. Paul John Weade Glasgow (Special—Quebec).

The Right Honourable Lord Thankerton, P.C., addressed the candidates who were Called to the Bar.

The candidates were then escorted by Mr. Ludwig to the Court Room where Mr. Justice Kingstone presided, and were introduced to the Court and took the oath of allegiance and the Barristers' oath.

Convocation re-assembled in Convocation Room.

DISCIPLINE COMMITTEE REPORTS.

RE DISBARMENT AND SUSPENSION.

The Secretary placed before Convocation the following Orders which in compliance with Rule 81 are entered on the Minutes of Convocation:

Re Warren Smythe—Order striking off the Rolls.

Re William Edward Fitzgerald—Order suspending from practice for 1 year from 18th June, 1936.

REPORTING COMMITTEE REPORT

Mr. Denison.

RE CONTRACT FOR PUBLICATION OF THE ONTARIO REPORTS AND ONTARIO WEEKLY NOTES.

The present contract expires on December 31st, 1936. The Committee recommends that the contract be renewed on the same terms provided the Carswell Company, Limited is willing to renew for a period of three years.

RE QUARTERLY INDEX—ONTARIO WEEKLY NOTES.

The Committee recommends that the Index to be published quarterly should contain only main headings showing the general subject matter of the cases reported.

THE REPORT WAS ADOPTED.

ENCROACHMENTS COMMITTEE REPORT

Mr. Mason.

1. The Committee recommends that Convocation appoint a Special Committee to consider the rules respecting accounts now in force in England and in some of the Western Provinces of Canada, to draft such rules and legislation (if any) as they may think appropriate in Ontario and to report to the next meeting of Convocation.

2. Several complaints having been received as to disbarred persons continuing to hold themselves out as Barristers and Solicitors, the Secretary was asked to write these persons drawing their attention to the complaints made and asking them to desist from any breach of the Solicitors Act.

THE REPORT WAS ADOPTED.

The following Special Committee was appointed to consider Rules respecting accounts and to report to the next meeting of Convocation—Messrs. Mason (convener) Robertson, Denison, Marshall, Urquhart, McRuer, and Aylen.

LIBRARY COMMITTEE REPORT

Mr. Young.

The Committee has appointed the following students to act as night librarians for the Law School term of 1936-37, viz.:

D. R. Walkinshaw,
K. Y. Dick,
S. E. Fennell, and
L. J. Whitney.

The library to be re-opened in the evenings from 7.30 to 10.30 p.m. commencing on the 21st day of September, 1936, and on Saturday afternoons from 2 to 5 o'clock.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT

Mr. Marshall.

1. The Motion with reference to increasing the fees payable by Solicitors to include an amount sufficient to provide for maintenance of County Libraries which was referred by Convocation to this Committee, has been considered.

The Committee recommend that no action be taken.

THE REPORT WAS ADOPTED.

RE REVISION OF RULES.

The Treasurer referred to the page proofs of the revised rules before Convocation and stated that the Special Committee would present its final report herein to the October Convocation.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

The Treasurer presented the report of the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

Wallace Nesbitt Trust.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation approved on June 15th, 1933, the terms of a Prize Essay Competition as submitted by the Committee nominated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee, and the Dean of the Law School.

2. The Committee now reports for the information of Convocation that prizes have been awarded in the said Competition, as follows:

First Prize of $100, to Bora Laskin, a Third Year student; his essay being on the subject, "The Protection of Interests by Statute and the Problem of Contracting Out."

Second Prize of $50, to Gerald D. Sanagan, a Third Year student; his essay being on the subject, "The Doctrine of Renvoi."

Third Prize of $25, to John C. Osborne, a Third Year student; his essay being on the subject, "Trusts arising under Joint and Mutual Wills."

3. Subject to the approval of Convocation, the Committee has decided to announce a similar Prize Essay Competition for the session 1936-1937 and submits herewith for the approval of Convocation the regulations governing the competition.

All of which is respectfully submitted.

Dated the 3rd day of July, 1936.

"N. W. Rowell"
"M. H. Ludwig"
"John D. Falconbridge"

THE REPORT WAS ADOPTED.

Convocation approved of the recommendation of the Committee that a Prize Essay Competition similar to that offered for the session 1935-36 be offered for the session 1936-37.

CORRESPONDENCE.

The Treasurer read a letter from W. D. Matthews, Chairman of the Trustees of The Toronto Legal Aid Bureau, expressing appreciation for the cheque from the Society in aid of their work.

The Treasurer read a letter from Dr. Oskar Klotz presenting the Society with a certificate of admission of one John Bowers Lewis dated 1835.

Convocation expressed its appreciation of the gift and directed that a suitable acknowledgment be sent to Dr. Klotz.

RE LIBRARY EXTENSION AND BUILDING ALTERATIONS.

The Treasurer reported on his interview with the Attorney-General in accordance with the resolution of Convocation of 18th June, 1936.

ORDERED that in view of the plans being considered by the Finance Committee, no action be taken at the present time.

DISCIPLINE COMMITTEE.

RE FRANK LESLIE WEBB.

Convocation considered the application of the above mentioned former Barrister and Solicitor for re-instatement and resolved that no action be taken.

CONVOCATION THEN ROSE.

The Benchers entertained at luncheon the Right Honourable Lord Thankerton, P.C., the Judges of the Supreme Court of Ontario, the Senior Judge of the County Court of the County of York, and the full-time lecturers of the Law School.

MEETING OF CONVOCATION.

Thursday, 15th October, 1936.

Present: Sir William Mulock and Messrs. Aylen, Boys, Bullen, Carson, Davis, Denison, Dunbar, Fuller, Hellmuth, Hughes, Ludwig, Mason, Middlebro, McCarthy, Nickle, Ponton, Rodd, Seymour, Shaver, Sims, Smith, H. D., Smith, G. L., Sweet, Walsh and White.

Mr. G. L. Smith, K.C., was appointed Chairman.

ELECTION OF TREASURER

The Chairman stated that as the Treasurer had been appointed Chief Justice of Ontario, the office of Treasurer was vacant and asked for nominations.

Mr. I. F. Hellmuth, K.C., nominated Mr. Michael Herman Ludwig, K.C., and the nomination was seconded by Mr. W. S. Middlebro, K.C. There being no other nominations the Chairman declared Mr. Ludwig elected to fill the office of Treasurer until the next regular election.

The Minutes of the meeting of September 17th, 1936, were read and confirmed.

The Treasurer spoke of the valuable services of the late Treasurer, The Honourable N. W. Rowell, K.C., now Chief Justice of Ontario, and on motion of Mr. G. L. Smith, seconded by Mr. W. N. Ponton, IT WAS RESOLVED that the Benchers of the Law Society of Upper Canada place on record their appreciation of the efficient services which the Honourable Newton Wesley Rowell, P.C., K.C., rendered to the Law Society as Treasurer for the period from the 18th June, 1935, until his appointment as Chief Justice of Ontario on the 23rd September, 1936. The Benchers regret the resignation of a distinguished Treasurer, but rejoice that the occasion of his resignation is his acceptance of the highest judicial office in Ontario. He has all the qualities to fit him for that office and the Benchers wish for him many years of good health and happiness in the performance of its duties.

LEGAL EDUCATION COMMITTEE REPORT

Mr. Denison.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications

	I. GRADUATES	DATE
1.	Maurice Francis Coughlin	14 September, 1936
2.	Frederick Allan Evis	16 September, 1936
3.	Andrew Parr Gilmore	14 September, 1936
4.	Irwin M. Levy	21 September, 1936
5.	John Curry McLeod	19 September, 1936
6.	William James McMaster	11 September, 1936
7.	Andrew Henry McTavish	31 August, 1936
8.	Henry Leslie Rowntree	23 September, 1936
9.	William Ronald Rutherford Sutton	15 September, 1936
	II. MATRICULANTS	
10.	John William Blain	9 September, 1936
11.	Hugh Clayton Cameron, Jr.	9 September, 1936
12.	Edward Gordon Earl	15 September, 1936
13.	William Fleming Garvey	15 September, 1936
14.	Thomas Owen Jones	12 September, 1936
15.	Thomas Charles Odette, Jr.	16 September, 1936
16.	Richard Henry Pearson	21 September, 1936
17.	Robert Henry Smithrim	9 September, 1936
18.	John Nelson Weekes	10 September, 1936

Certificate of Fitness—Special.

John Norman Lindsay, a Barrister and Solicitor of the Province of Saskatchewan, was granted a Certificate of Fitness to practise as a Solicitor under Rule 136(e).

SPECIAL PETITIONS.

H. K. MCGLADE—This matter was referred back by Convocation for further consideration. In July, 1935, the student petitioned for leave to repeat his First year, having failed in 6 of the 7 subjects. The petition was refused. In September, 1936, he again petitioned for leave to repeat and the Committee recommended that the petition be refused.

The Committee recommend that the petition be refused.

On motion of Mr. Denison the report, except as to the special petition of H. K. McGlade, was adopted.

On motion the report as to the special petition of H. K. McGlade was referred back to the Committee.

Mr. G. N. Shaver then gave notice of motion that at the November meeting of Convocation he would move the following resolution:—

"That Rule 118 as amended be further amended to read as follows: —

> 118. A student who has failed to pass the examinations of any year may repeat such year once, and for such purpose may again attend the lectures and submit himself for examination in the subjects of that year."

FINANCE COMMITTEE REPORT

Mr. G. L. Smith.

MONTHLY STATEMENT, SEPTEMBER, 1936.

The usual monthly statement was presented.

ANNUAL FINANCIAL STATEMENT, 1935-36.

The annual financial statement for the year ending 31st August, 1936, as certified by the auditors, Messrs. Clarkson, Gordon, Dilworth & Nash, was submitted for approval.

ARREARS OF FEES.

A list of Solicitors and Barristers in arrears was submitted.

Notice of Motion for suspension has been served on two solicitors.

ESTIMATES 1936-37.

An estimate of the probable receipts and expenditures for the year 1936-37 was submitted.

THE REPORT WAS ADOPTED.

IT WAS ORDERED that the Annual Financial Statement for the year ending 31st August, 1936, be printed in the O.W.N.

CALL TO THE BAR.

The following candidates who had been duly certified as entitled thereto were introduced and called to the Bar:

1. George William Bowman.
2. Albert Thomas Sylvester.
3. Isabell Mary Hinds.
4. John Carleton Osborne (with Honours).
5. Kenneth Morris Valin.
6. Wallace Spence Macpherson.

DISCIPLINE COMMITTEE REPORTS

RE WILLIAM HENRY FORD.

Mr. Dunbar presented the report of the Discipline Committee herein.

Mr. Dunbar moved the adoption of the report.

The Solicitor attended with his counsel, Mr. A. A. Macdonald, K.C., who addressed Convocation on behalf of the Solicitor.

The report of the Discipline Committee in the matter of William Henry Ford, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted, to the effect that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said William Henry Ford guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said William Henry Ford be suspended from practice as a Barrister and Solicitor for the period of six months from the 15th day of October, 1936.

Meeting adjourned until 2 p.m.

On motion duly seconded, Mr. G. L. Smith, K.C., took the chair.

RE JOHN KENNETH ROSS.

Mr. Carson presented the further report of the Discipline Committee herein.

THE REPORT WAS ADOPTED.

Mr. Ross appeared before Convocation and was reprimanded by the Chairman.

ENCROACHMENTS COMMITTEE REPORT

Mr. Mason.

A Committee consisting of Messrs. Walsh, Urquhart and McRuer has been appointed to take up with the Attorney-General the amendment of the tariff relating to Surrogate matters and allied matters.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON RULES RESPECTING ACCOUNTS

Mr. Mason.

The Committee asks leave to report at the next meeting of Convocation.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT

Mr. Marshall.

An application from the Lambton Law Association for a special grant of $510.00 was considered and the Committee recommend that a loan of $500.00 without interest repayable $50.00 per year, be made to the Lambton Law Association in accordance with the provisions for repayment and subject to the requirements contained in the Rules.

The list of books offered by Mr. D. L. McCarthy, K.C., for presentation to County Libraries was considered and accepted with appreciation and it was left to Mr. Daley, the Chief Librarian, to arrange for disposal among the libraries requiring such books.

The report of the Chief Librarian on his inspection of County Libraries, the consideration of which had been deferred from time to time, was read to the meeting and discussed, and was laid over until the next meeting, for further discussion after a list of text-books suggested previously for libraries, had been sent to each member of the Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON REVISION AND REPRINTING OF THE RULES

Mr. Hughes.

On January 17th, 1935, Convocation appointed a Special Committee consisting of Messrs. Hughes (Chairman), Mason, and Dunbar to revise and reprint the Rules of the Society.

The Committee held many meetings, at one or more of which the following Chairmen of Committees attended: Messrs. Ludwig, Young, Robertson, G. L. Smith, Denison and Marshall, and at one or more of which the Dean of the Law School attended.

The Committee also received valuable written and verbal suggestions from the above Chairmen and from the Dean. These suggestions have been incorporated in whole or in part in the revision.

The Committee secured from Mr. G. L. Smith, Chairman of the Finance Committee, permission to print copies of the draft revision in order that one should be in the hands of each member of Convocation at the presentation of this report.

Mr. Hughes moved the adoption of the report subject to consideration of the suggested changes contained in the report.

ORDERED that further consideration of the report be deferred to the next meeting.

CORRESPONDENCE.

The Chairman read a letter from the Brant Law Association with reference to Surrogate Court Tariff of fees.

Ordered that the letter be referred to the Special Committee on this matter.

The Chairman read a letter from the Hamilton Law Association with reference to a Hamilton Legal Aid Bureau.

Convocation noted with approval the action of the Association in this matter.

The Chairman read a letter from Mr. F. L. Webb asking that a Bencher be appointed to hear further representations.

Ordered that consideration of the matter be deferred until the meeting of Convocation in January next.

The Chairman read a letter from Mr. Ralph R. Bruce, K.C., with reference to the coming into force of Ontario Statutes.

The Secretary was instructed to write to the Attorney-General pointing out the inconvenience to the public and profession of the present policy of Statutes coming into force the day they receive the Royal Assent.

The Secretary was instructed to take up with the Chief Law Clerk of the Legislative Assembly the feasibility of supplying the County Law Associations with copies of Bills as introduced in the Legislative Assembly.

CONVOCATION THEN ROSE.

MINUTES OF CONVOCATION.

Thursday, 19th November, 1936.

Present: Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Geary, Gordon, Hays, Kerr, King, Marshall, Mason, Middlebro, Nickle, Ponton, Seymour, Sims, Sinclair, Smith, G. L., Smith, H. D., Urquhart and White.

In the absence of the Treasurer, Mr. G. L. Smith, K.C., was elected Chairman.

The Minutes of the meeting of October 15th, 1936, were read and confirmed.

Re Committees.

On motion, the following Benchers were appointed members of Committees in place of the Treasurer:

To the Finance Committee—
The Hon. G. R. Geary, P.C., K.C.

To the Legal Education Committee—
Mr. C. F. H. Carson.

To the Discipline Committee—
Mr. G. N. Shaver, K.C.

To the Library Committee—
Mr. G. W. Mason, K.C.

Mr. King expressed the advisability of meetings of the Finance Committee and of other committees being held, if possible, on the day before Convocation.

The Chairman promised consideration of the change proposed.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Election of Chairman.

Mr. Ludwig having been elected Treasurer of the Society Mr. J. Shirley Denison, K.C., was elected Chairman.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES	DATE
1.	Jack Irwin Armstrong	18th September, 1936.
2.	Carl Way Caskey	8th October, 1936.
3.	Edgar Clement	7th October, 1936.
4.	George Young Clement	5th October, 1936.
5.	John Foster Easterbrook	28th September, 1936.
6.	Brice Shepherd Evans, Jr.	30th September, 1936.
7.	John Erick Lamminen	16th October, 1936.
8.	Christian Montague Milton	15th Sept., 1936.
9.	Eugene Michael McCullough	28th Sept., 1936.
10.	Peter Donald McGregor	16th September, 1936.
11.	Allan Archibald McNab	11th September, 1936.
12.	George Leslie Pallett	1st October, 1936.
13.	Samuel Foster Ross	14th September, 1936.
14.	Beth Lorraine Rowlin	30th September, 1936.
15.	Bernard Shaffer	16th September, 1936.
16.	Hyman Soloway	24th October, 1936.
17.	Bertha Esther Thompson	15th September, 1936.
18.	Grant Wade Toole	2nd October, 1936.
19.	David Vanek	21st September, 1936.
20.	John Albert Deacon	14th October, 1936.
	II. MATRICULANT	
21.	Roy Llewellyn Galvin	19th October, 1936.

CERTIFICATE OF FITNESS—SPECIAL.

The following Barrister has applied to be granted a Certificate of Fitness under Section 4(2) of the Solicitors Act:

John Ross Stirrett—called 20th May, 1926.

REGINALD HARROP.
SIDNEY SILVER.

These students having discontinued their law course, were granted a refund of admission fees.

The Committee recommends that the names of these students should be removed from the Common Roll.

RE EXAMINATIONS FOR MATRICULANT STUDENTS—RULE 86c.

At the meeting of the Committee of 15th September, 1936, consideration was deferred. A further letter from the Dean is before the Committee.

The Committee recommends that this matter be referred to a Special Committee consisting of the Chairman and Messrs. Nickle and Sims to decide on subjects for an examination and the method of carrying it out, with power to take action in the premises.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

Mr. G. L. Smith.

MONTHLY STATEMENT—OCTOBER, 1936.

The usual monthly statement was presented.

RE ARREARS OF ANNUAL FEES.

A list of Solicitors and Barristers in arrears is submitted. Since the last report—

12 have made payments on account.

Re Library Extension.

Your Committee reports to Convocation its approval of the action of the Chairman on his interviews with the Minister of Public Works with reference to the extension of Library accommodation in the west wing of Osgoode Hall. Your Committee requests Convocation to authorize the Chairman to continue negotiations with the Minister of Public Works for the extension of the Great Library to the west as proposed, reporting to your Committee any agreement arrived at for the final approval of Convocation.

THE REPORT WAS ADOPTED.

The Secretary was instructed to advise the Honourable the Minister of Public Works that Convocation authorized Mr. G. L. Smith, K.C., Chairman of the Finance Committee, to continue negotiations with him in regard to obtaining additional space for the extension of the Great Library in Osgoode Hall from the Government.

DISCIPLINE COMMITTEE REPORTS.

Re John James Maclennan.

Mr. Dunbar presented the report of the Discipline Committee herein.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of John James Maclennan, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted to the effect

THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said John James Maclennan guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said John James Maclennan be disbarred;

THAT the said John James Maclennan is unworthy to practise as a Solicitor.

RE JOHN JOSEPH HUGGARD.

Mr. Dunbar presented the report of the Discipline Committee herein.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of John Joseph Huggard, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted, to the effect,

THAT upon the facts ascertained and appearing by the said Report and the Evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said John Joseph Huggard guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said John Joseph Huggard be disbarred.

THAT the said John Joseph Huggard is unworthy to practise as a Solicitor.

RE SUSPENSION.

The Secretary placed before Convocation the following Order which in compliance with Rule 81 is entered on the Minutes of Convocation:

RE WILLIAM HENRY FORD—Order suspending from practice for six months from 15th October, 1936.

REPORTING COMMITTEE REPORT

Mr. Urquhart.

Mr. Denison having been appointed Chairman of the Legal Education Committee retired as Chairman of this Committee and Mr. G. A. Urquhart was elected Chairman.

The proposed contract with the Carswell Company Limited for printing the Ontario Reports and Ontario Weekly Notes was laid before the meeting and on motion approved.

The meeting also discussed the advisability of the Societies publishing a Digest, and this matter was deferred until the first meeting of 1937.

It was decided, upon motion, to appoint a Consulting Editor for the Law Reports, and on motion the Committee recommends the appointment of Mr. McGregor Young, K.C., at a salary of $3,600.00 a year, duties to commence on the 1st day of December, 1936.

On further motion it was recommended that the division of duties between the Editor and Consulting Editor be left to The Treasurer and the Chairman on consultation with the said Editors.

THE REPORT WAS ADOPTED.

The Chairman read a letter from Mr. McGregor Young, K.C., tendering his resignation as a Bencher.

ORDERED that the letter be received but that the resignation be not accepted and that the letter be referred to the Treasurer.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

1. That the loan of $500.00 to the Lambton Law Association has been completed after the filing of satisfactory bonds.

2. Upon consideration of the request of the Government for a return of the Law Associations entitled to share in the annual Government grant, it was recommended that 41 County Law Libraries be reported as entitled to share in this grant.

3. Upon the report of the Chairman of the fact of a judgment having been obtained against the Northumberland Law Association by the Carswell Company Limited for some $800.00, it was left to the Chairman to arrange with the Carswell Company to postpone any action on the judgment until after January Convocation, to enable a full report to be obtained in the matter.

4. Upon consideration of a recommendation regarding the amendment of Rule 64, the Committee recommend that Rule 64 be amended by adding after the word "thereof" in the tenth line the words "or requires financial assistance in any way", and also replacing the last sentence of said rule by the following:

> "provided that security shall be given to the satisfaction of the County Libraries Committee for the due expenditure of any money, grant or advance and for the re-payment of any money advanced by way of loan."

5. The returns of the Sault Ste. Marie Law Association for the year 1935, which should have been filed by January 15th, 1936, were then considered, and it appearing that if the returns had been filed within the time required they would have been entitled to a grant of $636.67, less $100.00 to be applied on the instalment of the loan by the Society to the local Association, leaving the annual grant amounting to $536.67.

After due consideration your Committee begs to report specially to Convocation and recommends that the grant of $536.67 be made to the Sault Ste. Marie Law Association notwithstanding its delay in making the annual returns.

6. At the request of the Law Association of the County of Lincoln, a letter was sent with the approval of

the Treasurer of the Society, to the Warden of the County of Lincoln, urging additional quarters for the local association Library and Mr. Seymour has reported that the County Council had agreed and that the additional accommodation would be provided by the end of this year.

On motion of Mr. Marshall the report was adopted subject to the approval of the Special Committee on Revision and Reprinting the Rules of that part of the report relating to proposed changes in the Rules and subject to the right of Mr. Ponton to speak to the proposed changes.

MOTIONS.

On motion of Mr. Shaver, it was ordered that his motion with reference to the amendment of Rule 118, due notice of which had been given for this meeting, be deferred to the next meeting of Convocation.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar:

1. Frederick George Bourne.
2. Theodor Nasimok.
3. Clarence Cooper.
4. George Gordon Bradshaw.
5. Garson Loeb Gordon.
6. Leo Lafrance.
7. Francis John Maher.
8. David Franklin Miller.
9. Maxwell Lewis Rapoport.
10. Morris Simon.
11. Ross Alfred Wilson.
12. John Douglas Charles Boland.
13. Maurice Edwin Manderson.
14. Frederick Bertram Schuch.
15. William O'Brien Dwyer.

MEETING ADJOURNED UNTIL 2.15 P.M.

Mr. G. L. Smith, K.C., in the Chair.

SPECIAL COMMITTEE ON REVISION AND REPRINTING THE RULES.

In the absence of Mr. Hughes, the Chairman of the Committee, Mr. Mason presented the report of the Committee (read at the last meeting) for further discussion and the Rules, as revised and in page proof, were considered clause by clause.

On motion, Rule 10 was referred to Mr. Dunbar for re-drafting.

On motion Rules 74-83 inclusive (re discipline) were referred to a Special Committee composed of Messrs. Robertson, Dunbar and Carson with power to act.

On motion consideration of Rules 85 and 86D inclusive (re admission requirements) was deferred until the several matters and motions relating thereto now before the Legal Education Committee and before Convocation, have been considered and reported upon.

Moved by Mr. Mason, seconded by Mr. Dunbar,

AND RESOLVED that Convocation has now dealt with the Rules, and that the Rules as now presented be approved by this meeting but that they be referred to a Special Committee composed of Mr. Nickle and Mr. King for final revision, with power to that Committee to make such changes in form or any changes necessary to clarify the present wording, and generally to revise as they may deem advisable.

SPECIAL COMMITTEE ON RULES RESPECTING SOLICITORS' ACCOUNTS.

On Motion of Mr. Mason, it was ordered that presentation and consideration of this report be deferred to the next meeting of Convocation.

CORRESPONDENCE.

The Chairman read a letter from the Honourable the Chief Justice of Ontario expressing his appreciation of the Benchers' resolution of congratulations and good wishes.

The Chairman read a letter from the Chief Law Clerk of the Legislative Assembly with reference to the coming into force of Ontario Statutes and with reference to supplying County Law Associations with copies of bills as introduced into the Legislative Assembly.

ORDERED that these matters stand for further information from the Attorney General's Department.

The Chairman read a letter from the Secretary-Treasurer of the Conference of the Governing Bodies of the Legal Profession in Canada enclosing copy of the Minutes of the last Annual meeting and with special reference to a resolution relating to the adoption of Rules concerning trust accounts.

ORDERED that no action be taken herein, as this matter is now before a Special Committee.

CONVOCATION THEN ROSE.

SPECIAL MEETING OF CONVOCATION.

Called for the Purpose of Considering the Report of the Special Committee on Rules Respecting Accounts.

Monday, December 28th, 1936.

Present: Messrs. Davis, Dunbar, Fuller, Geary, King, Mason, McCarthy, McRuer, Nickle, Price, Robertson, Seymour, Shaver, Smith, G. L., Smith, H. D., Smith, Hon. Robt., Sweet, Urquhart, White, and Young.

In the absence of the Treasurer, Mr. G. L. Smith, K.C., was elected Chairman.

ON MOTION the reading of the Minutes of the meeting of November 19th, 1936, was deferred until the next regular meeting of Convocation.

REPORT OF THE SPECIAL COMMITTEE ON RULES RESPECTING ACCOUNTS.

Mr. Mason presented the report of the Special Committee on Rules Respecting Accounts, as follows:—

Report of the Special Committee appointed by Convocation on September 17th, 1936, to consider Rules Respecting Accounts.

To the Benchers of the Law Society of Upper Canada

in Convocation assembled—

Your Committee begs leave to report as follows:—

Your Committee was asked to consider rules respecting accounts, to draft such rules and legislation, if any, as your Committee might think appropriate in Ontario and to report to Convocation thereon.

The Law Society Act, R.S.O. 1927, ch. 192, gives the Benchers power to make rules for various purposes. There is no section of the Act dealing specifically with the accounts to be kept by barristers and solicitors, but sec. 35 provides that the Benchers may make rules for the government of the Society and other purposes connected therewith.

If it should be considered by Convocation that legislation to give effect to such rules is necessary or desirable, your Committee recommends the procuring of legislation similar to the legislation enacted in England in 1933. The relevant provisions in the English statute are:—

"1. The Council of the Law Society shall make rules—

(a) as to the opening and keeping by solicitors of accounts at banks for clients' moneys; and

(b) as to the keeping by solicitors of accounts containing particulars and information as to moneys received, held or paid by them, for or on account of their clients; and

(c) empowering the Council to take such action as may be necessary to enable them to ascertain whether or not the rules are being complied with;

and may, if they see fit, make rules for regulating in respect of any other matter the professional practice, conduct, and discipline of solicitors.

Provided that rules made under this section shall not come into operation until they have been approved by the Master of the Rolls.

2. (1) If a solicitor fails to comply with any of the rules made under the preceding section, any person may make a complaint in respect of that failure to the disciplinary committee.

(2) The provisions of Part 1 of the Solicitors Act, 1932, shall apply in relation to complaints under this section as they apply in relation to applications to the committee under the said Part 1;

Provided that in addition to the powers conferred on the committee by subsection (2) of section five of the said Act the committee and, upon appeal, the High Court shall have power to impose on the solicitor a penalty not exceeding five hundred pounds, and any penalty so imposed shall be forfeit to His Majesty.''

It would be unnecessary to include the provisos contained in the above sections.

Subsection (2) of sec. 2 would not be required. The sections should be made to apply to both barristers and solicitors.

Your Committee has considered the rules respecting accounts in force in England, Alberta, Saskatchewan and Manitoba and, if Convocation should decide that rules should be enacted, recommends the adoption of the following rules:—

1. Every barrister and solicitor shall keep such books and accounts in connection with his practice as may be necessary to show and distinguish (a) the moneys received from or on account of and the moneys paid to or on account of each of his clients, and (b) the moneys received and the moneys paid on his own account.

2. Every barrister and solicitor who holds or receives money on account of a client (save money hereinafter expressly exempted from the application of this rule) shall forthwith pay such money into an account at a chartered bank (or trust company or loan company authorized by law to receive money on deposit) to be kept in the name of such barrister and solicitor and designated as the trust or client account. Any barrister and solicitor may keep one such account, or as many as he thinks fit. Provided that where a barrister and solicitor receives money representing in part money belonging to the client and in part money due to the barrister and solicitor, he may, where practicable, split the money and pay into the trust or client account that part only which represents money belonging to the client. In any other case he shall pay the whole of such money into the trust or client account.

3. Except as in these rules otherwise provided, no money shall be paid into the trust or client account other than:

(a) Money held or received on account of a client;

(b) Money for the replacement of any sum which may by mistake or accident have been drawn from the account in contravention of these rules;

(c) Money received by the barrister and solicitor representing in part money belonging to the client and in part money due to the barrister and solicitor, when the same has not been split as provided by Rule 2 hereof.

4. Except as in these rules otherwise provided, no money shall be drawn from the trust or client account other than:

(a) Money properly required for payment to or on behalf of a client or for or towards payment of moneys due to the barrister and solicitor from a client, or money drawn on the client's authority or money in respect of which there is a liability of the client to the barrister and solicitor; provided, that the money so drawn shall not in any case exceed the total of the money so held for the time being for such client;

(b) Money which may by mistake or accident have been paid into such account in contravention of these rules;

(c) Such money belonging to the barrister and solicitor as may have been paid into the account under Rule 3(c);

5. Rules 2, 3 and 4 shall not apply to money which:

(a) The client in writing requests a barrister and solicitor to withhold from the trust or client account or to deposit elsewhere;

(b) A barrister and solicitor pays into a separate account opened or to be opened in the name of a client or some person named by that client or the duly authorized agent of that client;

(c) In the ordinary course of business upon receipt is paid on behalf of the client to a third party;

(d) Is upon receipt paid to the client;

(e) Is paid to a barrister and solicitor expressly on account of costs.

6. No barrister and solicitor shall at any time permit the account of a person in any trust or client account to be overdrawn.

7. The benchers of the Law Society of Upper Canada and (or) the discipline committee, acting either on their own motion or on written complaint lodged with them may at any time require an investigation to be made by a Chartered Accountant designated by the benchers and (or) the discipline committee, either by general regulation or particular designation, of the books and accounts of any member or members of the Law Society for the purpose of ascertaining and reporting whether these rules have been and are being complied with by such member or members and such member or members shall produce to such Chartered Accountant all such evidence, vouchers, records, books and papers as such Chartered Accountant may require for the purpose of such investigation. Such Chartered Accountant shall report to the discipline committee in such manner as that committee may require.

Before instituting an investigation on a complaint made by a third person, the benchers and (or) the discipline committee may require *prima facie* evidence that a ground of complaint exists, and may require the payment by such complainant to the Law Society of a reasonable sum to be fixed by the benchers and (or) the discipline committee to cover costs of the investigation and the costs of the barrister and solicitor against whom the complaint is made. The benchers and (or) the discipline committee may deal with any sum so paid in such manner as they think fit.

Such Chartered Accountant shall report the result of his investigation to the benchers and (or) the discipline committee and furnish a copy of his report to the said member or members.

8. Nothing in these rules shall deprive a barrister and solicitor of any recourse or right, whether by way of lien, set-off, counterclaim, charge or otherwise, against moneys standing to the credit of a trust or client account.

9. In these rules, unless the context otherwise requires, the words ''barrister and solicitor'' include a firm of barristers and solicitors and a person who is either a barrister or solicitor. The word ''money'' includes current coin, government or bank notes, cheques, drafts, post office orders or express or bank money orders. The word ''client'' includes any person or body of persons corporate or unincorporate on whose behalf a barrister and solicitor in connection with his practice receives money.

Words importing the masculine gender shall include females, and words in the singular shall include the plural, and words in the plural shall include the singular.

10. The benchers, on the report of the discipline committee, shall have power to treat any infringement of these rules or any failure to comply therewith as professional misconduct.

11. These rules shall come into operation on the day of A.D. 1937.

All of which is respectfully submitted.

Dated this 2nd day of November, 1936.

Gershom W. Mason,
Convener.

The report was received.

Mr. Mason read a letter from Mr. W. N. Ponton, K.C., opposing the proposal.

MOVED by Mr. Mason, seconded by Mr. Robertson, and unanimously RESOLVED that Convocation approve in principle the enactment of rules respecting accounts of members of the profession, the form and details of such rules to be determined by Convocation.

On Motion duly seconded, IT WAS ORDERED that the rules as proposed by the Special Committee be read and considered clause by clause.

On Motion duly seconded and carried unanimously IT WAS ORDERED that the rules proposed by the Special Committee as now amended by Convocation, be adopted as Rules of this Society in the following form:

1. Every barrister and solicitor shall keep such books and accounts in connection with his practice as may be necessary to show and distinguish (a) the moneys received from or on account of and the moneys paid to or on account of each of his clients, and (b) the moneys received and the moneys paid on his own account.

2. Every barrister and solicitor who holds or receives money on account of a client (save money hereinafter expressly exempted from the application of this rule) shall forthwith pay such money into an account at a chartered bank (or trust company or loan company authorized by law to receive money on deposit) to be kept in the name of such barrister and solicitor and designated as a trust or client account. Any barrister and solicitor may keep one such account, or as many as he thinks fit. Provided that where a barrister and solicitor receives money representing in part money belonging to the client and in part money due to the barrister and solicitor, he may, where practicable, split the money and pay into the trust or client account that part only which represents money belonging to the client. In any other case he shall pay the whole of such money into the trust or client account.

3. Except as in these rules otherwise provided, no money shall be paid into the trust or client account other than:

(a) Money held or received on account of a client;
(b) Money for the replacement of any sum which may by mistake or accident have been drawn from the account in contravention of these rules;

(c) Money received by the barrister and solicitor representing in part money belonging to the client and in part money due to the barrister and solicitor, when the same has not been split as provided by Rule 2 hereof.

4. Except as in these rules otherwise provided, no money shall be drawn from the trust or client account other than:

(a) Money properly required for payment to or on behalf of a client or for or towards payment of moneys due to the barrister and solicitor from a client, or money drawn on the client's authority or money in respect of which there is a liability of the client to the barrister and solicitor; provided, that the money so drawn shall not in any case exceed the total of the money so held for the time being for such client;

(b) Money which may by mistake or accident have been paid into such account in contravention of these rules;

(c) Such money belonging to the barrister and solicitor as may have been paid into the account under Rule 3(c).

5. Rules 2, 3 and 4 shall not apply to money which:

(a) The client in writing requests a barrister and solicitor to withhold from the trust or client account or to deposit elsewhere;

(b) A barrister and solicitor pays into a separate account opened or to be opened in the name of a client or some person named by that client or the duly authorized agent of that client;

(c) In the ordinary course of business upon its receipt is paid on behalf of the client to a third party;

(d) Is upon its receipt paid to the client;

(e) Is paid to a barrister and solicitor expressly on account of costs.

6. No barrister and solicitor shall at any time permit the account of a person in any trust or client account to be overdrawn.

7. The benchers of the Law Society of Upper Canada and (or) the discipline committee, acting either on their own motion or on written complaint lodged with them may at any time require an investigation to be made by a Chartered Accountant designated by the benchers and (or) the discipline committee, either by general regulation or particular designation, of the books and accounts of any member or members of the Law Society for the purpose of ascertaining and reporting whether these rules have been and are being complied with by such member or members and such member or members shall produce to such Chartered Accountant all such evidence, vouchers, records, books and papers as such Chartered Accountant may require for the purpose of such investigation. Such Chartered Accountant shall report to the discipline committee in such manner as that committee may require.

Before instituting an investigation on a complaint made by a third person, the benchers and (or) the discipline committee may require *prima facie* evidence that a ground of complaint exists, and may require the payment by such complainant to the Law Society of a reasonable sum to be fixed by the benchers and (or) the discipline committee to cover costs of the investigation and the costs of the barrister and solicitor against whom the complaint is made. The benchers and (or) the discipline committee may deal with any sum so paid in such manner as they think fit.

Such Chartered Accountant shall report the result of his investigation to the benchers and (or) the discipline committee and furnish a copy of his report to the said member or members.

8. Nothing in these rules shall deprive a barrister and solicitor of any recourse or right, whether by way of lien, set-off, counterclaim, charge or otherwise, against moneys standing to the credit of a trust or client account.

9. In these rules, unless the context otherwise requires, the words "barrister and solicitor" include a firm of barristers and solicitors and a person who is either a barrister or solicitor. The word "money" includes current coin, government or bank notes, cheques, drafts, post office orders or express or bank money orders. The word "client" includes any person or body of persons corporate or unincorporate on whose behalf a barrister and solicitor in connection with his practice receives money.

Words importing the masculine gender shall include females, and words in the singular shall include the plural, and words in the plural shall include the singular.

10. The benchers, on the report of the discipline committee, shall have power to treat any infringement of these rules or any failure to comply therewith as professional misconduct.

11. These rules shall come into operation on the first day of February, A.D. 1937.

ON MOTION IT WAS ORDERED that a copy of the Rules as adopted be sent to each member of the profession, with special reference to Rule 10 and that they be printed in the Ontario Weekly Notes.

ON MOTION there was referred to the Legal Education Committee for consideration and report the question of instruction of students-at-law in the opening and keeping of a simple set of books.

RE TREASURER.

Moved by Mr. Robertson, seconded by Mr. White, and UNANIMOUSLY RESOLVED that the Secretary send to the Treasurer an expression of the sympathy of the Benchers with him in his illness, and their best wishes for his early recovery.

CONVOCATION THEN ROSE.

MEETING OF CONVOCATION.

Thursday, 21st January, 1937.

Present: Sir William Mulock and Messrs. Aylen, Boys, Bullen, Carson, Denison, Fuller, Geary, Hays, Hellmuth, Kerr, King, Lucas, Marshall, Mason, Middlebro, McCarthy, McRuer, Nickle, Ponton, Robertson, Rodd, Seymour, Shaver, Sims, Sinclair, Smith, G. L., Sweet, Urquhart, Walsh and White.

Mr. G. L. Smith, K.C., was appointed Chairman.

The Chairman spoke of the loss which the Society and Convocation had sustained in the death of the late Treasurer, Michael Herman Ludwig, K.C., and of his long and valued services to the Society.

ELECTION OF TREASURER.

Moved by Mr. McCarthy, seconded by Mr. Nickle, and carried unanimously that Mr. Robert Spelman Robertson, K.C., be elected, pursuant to Rule Number 34(1) to fill the office of Treasurer until the next regular election.

The Treasurer then took the chair and briefly addressed Convocation.

The Minutes of the meeting of November 19th, 1936, and of the Special meeting of December 28th, 1936, were read and confirmed.

Re Senate of the University of Toronto.

Mr. H. J. Sims, K.C., was appointed the representative of the Society on the Senate of the University of Toronto, in place of the late Treasurer.

RE CONFERENCE OF GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA.

Mr. J. R. Marshall, K.C., was appointed the Society's representative on the Conference of Governing Bodies of the Legal Profession in Canada.

RE CANADIAN BAR ASSOCIATION.

Mr. W. S. Middlebro, K.C., and Mr. D. L. McCarthy, K.C., were appointed the Society's representatives on the Council of the Canadian Bar Association.

RE MCGREGOR YOUNG, K.C.

The letter of resignation of Mr. McGregor Young, K.C., which had been referred to the Treasurer was presented for consideration.

Moved by Mr. G. L. Smith, seconded by Mr. King, and unanimously carried that the resignation be not accepted and that Mr. Young be requested to withdraw the letter.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

CERTIFICATE OF FITNESS—SPECIAL.

Mr. Allen Edward Ludlow Wetmore, a solicitor of the Province of Saskatchewan, was granted a Certificate of Fitness to practise as a Solicitor under Rule 136(*e*).

RE CHANGE OF RULES — ADMISSION REQUIREMENTS OF MATRICULANTS RE ONTARIO DEPARTMENT OF EDUCATION CERTIFICATES.

Mr. G. A. Urquhart's motion of 21st May, 1936, was referred by Convocation to this Committee. Consideration of the above matters was deferred for further information.

A report by Messrs. Urquhart and Aylen was submitted and also a report by the Chairman with reference to Departmental certificates.

This matter, including an interview had with the Deputy Minister of Education was explained to the Committee at considerable length, and discussion on the report of Messrs. Urquhart and Aylen took place and was fully considered, and the Committee recommends that no change be made in the present regulations.

RE SERVICE OF STUDENTS UNDER ARTICLES.

A letter from Mr. Carson was before the Committee.

This matter, together with the report of Messrs. Urquhart and Aylen on the subject of service in offices was directed to stand until the next meeting.

RE EXAMINATION OF MATRICULANT STUDENTS—RULE 86C.

This matter was referred to a Special Committee consisting of the Chairman and Messrs. Nickle and Sims to decide on subjects for an examination and the method of carrying it out with power to take action in the premises.

The Chairman's report of the action taken by the Special Committee was submitted. Approved.

RE LECTURES ON BOOKKEEPING.

Convocation at the meeting of 28th December, 1936, referred to this Committee for consideration, the question of instructing the students of the Law School in the opening and keeping of a simple set of books.

A report by the Chairman, including the report on an interview with Messrs. Nash and Glassco of Clarkson, Gordon, Dilworth & Nash was submitted for consideration.

The Chairman reported at length on this matter including a discussion on the possibility of preparing a simple form of accounts for the students which could be made the subject of direct explanation in lectures on Bookkeeping. The Chairman was desired to proceed further with his discussions with Messrs. Nash and Glassco and report later to the Committee.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidates were introduced and called to the Bar:

1. Constance Elizabeth Nelson.
2. Charles Percy Fullerton (Special—Manitoba).
3. William Moore Benidickson (Special—Manitoba).
4. Nicetas Romaniuk (Special—Alberta).
5. William Andrew Gresham Kelley (Special—Nova Scotia).

FINANCE COMMITTEE REPORT.

Mr. G. L. Smith.

MONTHLY STATEMENT, NOVEMBER AND DECEMBER, 1936.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

RE LIBRARY EXTENSION AND BUILDING ALTERATIONS.

Mr. G. L. Smith presented his report on the proposed Library Extension and Building Alterations, as follows:

ACCOMMODATION FOR LAWYERS.

Suggested alterations to East Wing —

On the ground floor—Provide in the present space now occupied by the Lecturers, etc., accommodation for the lawyers' robing rooms and lavatory accommodation. This space should be divided or added to to accommodate 300 lawyers and 50 women lawyers.

Upstairs—The present Convocation Hall to be taken over for the exclusive accommodation of lawyers awaiting business in the Courts and there should be some arrangement made for consulting rooms for clients, and a new bridge constructed connecting the ''Lawyers' Hall'' with the Courts which will go across the intervening space and through the present room now used for the Riddell Library. It is proposed to furnish ''Lawyers'

Hall'' with tables, chairs, proper lighting and book cases for law periodicals.

There should also be some arrangement made at the north end of Convocation Hall for the kitchen and pantry so that meals can be served in ''Lawyers' Hall.''

The Editor of the Law Reports and his assistant can be accommodated in the old consulting rooms opposite the Benchers' Library, or upstairs.

New accommodation for the Secretary must also be provided on the ground floor with proper vaults. The present Secretary's office will be taken into the Benchers' quarters and divided into a room for the Treasurer in the north hall and a cloak room for the Benchers on the south with lavatory accommodation for both rooms.

LAW SCHOOL.

It is proposed that the Law School be improved so as to provide accommodation for the students' library on the ground floor, also a students' study adjacent to the library, for four Professors' rooms which will open into the study so that the library can be used by both Professors and students.

On the floor above the students' library, there will be a students' examination hall which should be large enough to accommodate 300 students for examination purposes and students' Assembly Hall, Moot Courts, etc.

The present students' library on the top floor can be used as a common room or students' recreation room. Later on, if not required, it might be utilized as a stock room for the Great Library.

Attention should be given to the question of air-conditioning for the Lecture Rooms and a new heating plant must be installed large enough to accommodate the whole of the Law Society's premises, or else, supplementary to the present plant to provide heat to the Barristers' and Benchers' rooms which are now heated from the Government plant in the main building.

EXTENSION OF GREAT LIBRARY.

The plans for the extension of the Great Library are now being prepared by the Government Architects and

Engineers of the Department of Public Works, but, have not yet received the approval of the Minister.

The Architects have promised to submit these plans to the Law Society within the next few days, and, if approved, the matter will then be taken up by the Minister.

As an Order-in-Council was passed in May of the year 1923 approving of the extension, I think there is no doubt that the extension will be authorized, but, it has not yet been decided whether the Government will do the work, or, whether it is the wish of the Department that the Society should undertake the work under Government supervision. That question will be for the Minister to decide but, if the Society decides to accept the Government's plans for this extension, it will be necessary to immediately take up a plan for the accommodation of the lawyers in the East Wing.

I have been conferring with Mr. J. A. Pearson of the late firm of Darling & Pearson and Mr. Saunders of the firm of Saunders & Ryrie and Mr. Saunders has prepared a sketch of the extension of the Great Library which has been submitted to the Department of Public Works.

I have instructed Mr. Saunders to prepare a sketch plan of the proposed alterations to Convocation Hall and the Law School which I hope will be presented for your consideration at this meeting of Convocation.

As Mr. Pearson is not practising actively at the present time, my recommendation would be that he should be employed as consulting Architect and that the Society engage either Mr. Saunders or another firm of Architects to prepare the plans and specifications and obtain tenders.

Mr. Pearson has approved of Mr. Saunders to do this work under his supervision, but that, I think, is a matter for Convocation to decide. Mr. Saunders has superintended the work already done in the Benchers' quarters and I have confidence in his judgment, taste and skill, and whether he is employed or not to prepare the plans for the addition to the Law School, I would recommend that he be retained to supervise the Government work for the extension of the Great Library and also the work to be done to convert the present Convocation Hall and ground floor and Benchers' quarters as I find that he is particularly good at interior decorating and the purchase of the necessary furniture and equipment.

If a final decision is taken on these matters, the Library Committee should be consulted in regard to the extension of the Great Library and the Legal Education Committee should be consulted in regard to the improvements to the Law School.

THE REPORT WAS RECEIVED.

Mr. Hellmuth expressed to Mr. Smith the thanks of the Benchers for his admirable work in these matters and for his concrete suggestions as to improvements in Osgoode Hall.

Moved by Mr. Hellmuth, seconded by Mr. Denison, and carried, that the proposals as outlined by Mr. Smith in these matters be proceeded with forthwith, such proposals to include the engaging of an Architect and consulting Architect as recommended.

Moved by Mr. Mason, seconded by Mr. Walsh and carried that the matter be referred to a Special Committee to be composed of the Treasurer and Mr. Smith with power to add to their numbers such Committee to have instructions to proceed and full powers to act.

DISCIPLINE COMMITTEE REPORTS.

Re Ethelbert Lionel Cross.

Mr. White presented the report of the Discipline Committee herein.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Ethelbert Lionel Cross, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted, to the effect that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Ethelbert

Lionel Cross guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Ethelbert Lionel Cross be disbarred.

That the said Ethelbert Lionel Cross is unworthy to practise as a Solicitor.

DISBARMENTS.

The Secretary placed before Convocation the following Orders which in compliance with Rule 81 are entered on the Minutes of Convocation—

Re John Joseph Huggard—Order striking off the Rolls.

Re John James Maclennan—Order striking off the Rolls.

LIBRARY COMMITTEE REPORT.

In the absence of the Chairman, Mr. Shaver presented the report.

Re Elgin Law Association.

The Chairman submitted a letter dated 8th January, 1937, from the Elgin Law Association in reference to the books presented by Mr. D. L. McCarthy, K.C.

The Committee recommends that this matter be referred to the County Libraries Committee.

Chief Librarian's Report.

The Chairman presented the annual report for 1936 of the Chief Librarian on the Great Library and the Phillips Stewart Library.

The Committee recommends that the report be referred to Convocation.

THE REPORT WAS ADOPTED.

CHIEF LIBRARIAN'S REPORT.

Mr. Shaver presented the annual report of the Chief Librarian.

THE REPORT WAS RECEIVED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Annual Grants.

The following County Law Associations having filed Annual Returns for the year 1936 in accordance with Rule 62 are entitled to the Annual Grants as set out, viz.—

1.	Brant	$810.00
2.	Bruce	204.17
3.	Carleton ($1,670)	1,500.00
4.	Cochrane	166.67
5.	Dufferin ($263.33 less $50)	213.33
6.	Elgin	490.00
7.	Frontenac	640.00
8.	Grey	285.33
9.	Haldimand	285.25
10.	Hamilton ($1,655.00.)	1,500.00
11.	Hastings	266.67
12.	Huron	321.72
13.	Kenora	188.31
14.	Kent	741.67
15.	Lambton ($610, less $50.)	560.00
16.	Leeds & Grenville	489.82
17.	Lincoln	810.00
18.	Lindsay ($466.67 less $50.)	416.67
19.	Middlesex ($1,150. less $50.)	1,100.00
20.	Norfolk	320.00
21.	Ontario	330.83
22.	Oxford	236.37
23.	Perth ($684.00 less $50.)	634.00
24.	Peterboro	440.27
25.	Rainy River	160.00

26. Renfrew	184.00
27. Simcoe	400.93
28. Sudbury	241.37
29. Temiskaming	213.33
30. Waterloo	414.50
31. Welland	610.00
32. Wellington	510.00
33. York ($2,301.)	1,500.00
	$17,185.21

and the Committee therefore reports same to the Finance Committee and these associations having complied in all other respects with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends the payment of the said annual grants above mentioned.

THE REPORT WAS ADOPTED.

Mr. Kerr spoke of the efficient services of Mr. Marshall in connection with the settlement of the judgment against the Northumberland and Durham Law Association.

NOTICE OF MOTION.

Mr. Urquhart gave notice that at the next meeting of Convocation he would move the following resolution—

> "That the Rules of the Law Society be amended by repealing Rule 61(*a*)."

RE REVISION AND REPRINTING OF RULES.

Mr. Nickle reported for the Special Committee on final revision and submitted to Convocation a page proof copy of the rules as revised.

Moved by Mr. White, seconded by Mr. Mason, and carried, that all matters in connection with the rules referred to sub-committees and all rules recommended for redrafting be now referred for final revision to a Special Committee composed of Messrs. Nickle and King.

Moved by Mr. Walsh, seconded by Mr. Shaver, and carried, that Convocation refer to the Finance Committee for consideration and report the schedule of fees payable on Special Call to the Bar and Admission as Solicitor in Ontario of Barristers and Solicitors from other jurisdictions, with a recommendation that such fees be increased.

Meeting adjourned until 2 p.m.

The Treasurer in the chair.

REPORT OF THE SPECIAL COMMITTEE ON SURROGATE COURT TARIFF.

Mr. Walsh presented a revision of the Surrogate Court Tariff of fees as proposed by the Special Committee with the committee's reasons therefor and the revision was discussed item by item.

Moved by Mr. Walsh, seconded by Mr. Aylen, and carried, that the revised Surrogate Court Tariff as proposed by the special Committee and amended by Convocation be approved by Convocation and referred to the Attorney-General with the recommendation that it be made effective by Order-in-Council.

A Special Committee consisting of Messrs. D. L. McCarthy and H. J. Sims was appointed to prepare a Memorial to the late M. H. Ludwig, K.C.

MOTIONS.

On motion of Mr. Shaver, it was ordered that his motion with reference to the amendment of Rule 118, due notice of which had been given, be deferred to the next meeting of Convocation.

CORRESPONDENCE.

The Treasurer read a letter from Mrs. Edith Ludwig expressing her appreciation of the resolution of sympathy and flowers sent by the Benchers during the late Treasurer's illness.

The Treasurer read a letter of thanks from Mr. J. B. Walkem, K.C., for the flowers sent by the Benchers on the occasion of his 94th birthday.

The Treasurer read a letter from the Law Clerk of the Legislative Assembly with reference to the coming into force of Ontario Statutes.

ORDERED that the matter stand for further information.

The Treasurer read a letter from the Clerk of the Legislative Assembly with reference to supplying County Law Associations with copies of bills as introduced into the Legislative Assembly.

The Secretary was instructed to furnish the Clerk of the Legislative Assembly with a list of the County Law Associations to be placed on the free list for bills and to thank Major Lewis for his assistance in the matter.

The Treasurer read a letter from Ward Wright, K.C., Ontario Vice-President, Canadian Bar Association, with reference to certain resolutions adopted at a meeting of the Ontario members at London, 9th January, 1937.

ORDERED that the letter be referred to the Finance Committee for consideration.

The Treasurer referred to the numerous letters from Solicitors following the receipt of the Rules Respecting Accounts.

Convocation recorded its opinion that the Rules as adopted must speak for themselves and that no interpretation should be offered in advance of experience as to their operation.

The letters were referred for answer to the Treasurer and Secretary.

NOTICE OF MOTION.

Mr. Seymour gave notice that at the next meeting of Convocation he would move the following resolution:

1. That pursuant to the powers contained in paragraph 7 of the Rules Respecting Accounts, an auditor be appointed forthwith, at a salary to be fixed by the Finance Committee, to audit the books and accounts of all barristers and solicitors, except as hereinafter provided, for the purpose of ascertaining whether or not the said Rules are being complied with.

2. That the said Auditor shall be a member of The Institute of Chartered Accountants of Ontario.

3. That the said auditor shall report in writing to the Secretary, on each audit as made, stating whether or not the said Rules have been complied with and making any other comment he may deem it advisable to make in connection with the matter in which the books and accounts of any barrister and solicitor so audited by him are kept.

4. That the said auditor shall not be required to audit the books and accounts of any barrister and solicitor whose books and accounts are audited by an auditor approved by the Finance Committee and who files, annually, with the Secretary a statement of such auditor that the said Rules have been complied with.

5. That for the purposes hereof, every member of The Institute of Chartered Accountants of Ontario, The Association of Accountants and Auditors in Ontario, and The General Accountants Association shall be deemed to be (until disqualified by order of the Finance Committee) an auditor approved by the Finance Committee.

Moved by Mr. Aylen, seconded by Mr. Nickle, and carried, that Mr. McGregor Young be appointed a member of the Legal Education Committee.

CONVOCATION THEN ROSE.

MEETING OF CONVOCATION.

Thursday, 18th February, 1937.

Present: The Treasurer, and Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Gordon, Hays, Hellmuth, Henderson, Kerr, King, Marshall, Middlebro, McRuer, Nickle, Seymour, Shaver, Sims, Sinclair, Smith, G.L., Sweet, Urquhart, Walsh, White and Young.

The Minutes of the meeting of the 21st January, 1937, were read and confirmed.

RE COMMITTEES.

On motion, the following Benchers were appointed members of Committees in place of the Treasurer:

Finance—Mr. J. C. McRuer.
Legal Education—Mr. Peter White.
Discipline—Mr. D. L. McCarthy.
Library—Mr. W. E. N. Sinclair.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Admission of Students.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application:

GRADUATE	DATE
1. John Henry Woodhouse	16 January, 1937.

CERTIFICATE OF FITNESS—RHODES SCHOLAR.

EDWARD BIGELOW JOLLIFFE, a Rhodes Scholar, was granted a Certificate of Fitness under Rule 136A.

ADMISSION REQUIREMENTS.

Mr. Urquhart's motion on May 21st, 1936, Mr. Aylen's report, and a further report by Messrs. Urquhart and Aylen, as well as a letter from the Secretary, County of York Law Association, were considered at length, and it was suggested that the matter be referred to the Treasurer and the Chairman of this Committee for consideration, together with the subject of office training and any other matters which they consider may bear upon the subject of improving legal education in Ontario. This sub-committee to report to the Committee before the April Convocation.

BOOKKEEPING LECTURES.

This matter was also referred to the Treasurer and Chairman of this Committee for further consideration.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

Mr. G. L. Smith.

MONTHLY STATEMENT, JANUARY 1937.

The usual monthly statement was presented.

RE FEES PAYABLE ON SPECIAL CALL TO THE BAR AND ADMISSION AS A SOLICITOR.

The Committee recommends that the fee on Special Call to the Bar and/or admission as a Solicitor in Ontario, be increased to $1,500.00 inclusive, such increase to take effect immediately, except in the case of those applicants who have at this date paid their admission fee or who satisfy the Committee that they have materially changed their position with a view to Call or admission in Ontario.

The Committee further recommends that the fee on Call or Admission for Ontario Rhodes Scholars remains as at present.

The Committee also recommends that the proper changes in the rules be made.

Re Building Operations.

The Committee recommends that the matter of fees payable to the Architect, the Consulting Architect, and the Clerk of the Works, be referred to the Building Committee with power to act.

Re Canadian Bar Association.

Convocation referred to the Committee for consideration the two resolutions adopted by the Canadian Bar Association, Ontario Branch, at London, Ontario, on January 9th, 1937, with reference to holding an annual general meeting of members of the Society and to supplying the Statutes free to all members taking out their annual certificates.

The Committee recommends that no action be taken.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidates were introduced and called to the Bar:

1. Sidney LeRoy Clunis.
2. Paul James Garland Kidd.
3. Allen Edward Ludlow Wetmore.

DISCIPLINE COMMITTEE REPORT.

Re Charles Doherty Mulvey.

Mr. Carson presented the report of the Discipline Committee herein.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Charles Doherty Mulvey, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted, to the effect that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Charles Doherty Mulvey guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Charles Doherty Mulvey be disbarred.

That the said Charles Doherty Mulvey is unworthy to practise as a Solicitor.

DISBARMENT.

The Secretary placed before Convocation the following Order which in compliance with Rule 81 is entered on the Minutes of Convocation:

Re Ethelbert Lionel Cross—Order Striking off the Rolls.

REPORTING COMMITTEE REPORT.

Mr. Urquhart.

The Committee reported that it has under consideration several suggestions as to the improvement of the Society's reports.

THE REPORT WAS ADOPTED.

ENCROACHMENTS COMMITTEE.

In the absence of the Chairman, Mr. Walsh presented the report.

The Committee has investigated certain matters of encroachments which have been adjusted to the satisfaction of the Committee.

Various complaints have been made of unauthorized practice and after discussion and consideration the Committee recommends that a sub-committee consisting of the Chairman, Mr. G. W. Mason, Mr. Sims and Mr. Marshall, be appointed to look into the matter with power to appoint a suitable person to make such investigations and perform such other duties as the Encroachments Committee may deem advisable in the interests of the profession.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

ANNUAL GRANTS.

The following County Law Associations having filed Annual returns for the year 1936 in accordance with Rule 62, are entitled to the annual grants as set out, viz.,

1. Prescott and Russell ($136.67 less $25.)	$111.67
2. Essex—Maximum	1,500.00
3. Thunder Bay	254.17

and the Committee therefore reports same to the Finance Committee and these associations having complied in all other respects with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends the payment of the said annual grants above mentioned.

ANNUAL RETURNS.

Four Associations have not yet reported for 1936, viz.:

1. Lanark (Perth).
2. Parry Sound.
3. Sault Ste. Marie.
4. Stormont (Cornwall).

These Associations have been written reminding them of the necessity for filing returns.

THE REPORT WAS ADOPTED.

MEMORIAL OF THE LATE TREASURER,

M. H. Ludwig, K.C.

Mr. Sims presented the report of the Special Committee appointed to prepare a Memorial of the late Treasurer, Michael Herman Ludwig, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to his family.

The Benchers in Convocation assembled desire to record their sense of the loss sustained by the death of Mr. Michael Herman Ludwig, K.C., on the 2nd January, 1937.

Mr. Ludwig was the son of an officer in the French Army, and was born at Sebringville, Ontario, on the 14th February, 1867. He was educated at Stratford Collegiate Institute and at University College, Toronto, where he attracted the attention of those who knew him by his all round capacity as a student. He entered Osgoode Hall in Hilary Term, 1884, and was called to the Bar in Hilary Term, 1889, being awarded the Gold Medal as 1st scholarship man throughout his entire course. Mr. Ludwig first read law with Messrs. Woods, Fisher & McPherson, Stratford, and subsequently became a partner of the late Mr. C. H. Ritchie, K.C., and practised in Toronto. Shortly after his Call to the Bar he was appointed Examiner for the Law Society and occupied this position from 1890 to 1892. He was created one of His Majesty's Counsel in 1910. He was elected President of the Ontario Bar Association in 1913, and was also Vice-President of the York County Law Association in the years 1912-1913. He was appointed a Bencher of the Law Society of Upper Canada April 6th, 1913, and became a Life Bencher in 1931. He took a keen interest in the affairs of the Law Society, especially in matters pertaining to legal education, and in 1923 was appointed Chairman of the Legal Education Committee, a post which he occupied until his election as Treasurer of the Society in October, 1936. For the past twelve years he was the representative of the Law Society of Upper Canada on the Senate of the University of Toronto. During this time he acquired a wealth of information and experience in the field of education, which he never failed to unstintingly use for the benefit of students.

At the Bar he had a distinguished career as counsel, and at the time of his death was the senior member of the firm of Messrs. Ludwig, Shuyler & Fisher.

Mr. Ludwig's ardent and useful participation in the affairs of this Society will make his loss deeply felt, not only by his colleagues and friends, but by a wide circle in the profession and business world.

His chief recreation was in outdoor life at his summer residence in the Georgian Bay, and he was a keen and ardent fisherman. He was a member of the York Club, the Toronto Club, the Royal Canadian Yacht Club, the Ontario Jockey Club, Scarboro Golf and Country Club and the Albany Club. A Conservative in politics, but he took no very active interest in political affairs.

He was married in June, 1894, to Kate McCall, daughter of the late Dugald McCall, who pre-deceased him, and has one daughter. He subsequently married Edith Gaskell, who survives him.

The Benchers of the Law Society of Upper Canada desire to extend to his family their deep sympathy in the irreparable loss they have sustained, and direct that the foregoing account of his career and activities be recorded in the proceedings of Convocation.

SPECIAL COMMITTEE ON FINAL REVISION OF RULES.

Mr. Nickle stated that the committee was ready to report but moved, seconded by Mr. King, that the report stand for the report of the Special Committee on Legal Education.

MOTIONS.

On motion of Mr. Shaver, it was ordered that his motion with reference to the amendment of Rule 118 be referred to the Special Committee on Legal Education.

On motion of Mr. Shaver, it was ordered that Mr. Urquhart's motion with reference to the amendment of Rule 61(*a*), due notice of which had been given, be deferred to the next meeting of Convocation.

Having given due notice, Mr. Seymour moved, seconded by Mr. Shaver:

1. That pursuant to the powers contained in paragraph 7 of the Rules respecting accounts, an auditor be appointed forthwith, at a salary to be fixed by the Finance Committee, to audit the books and accounts of all barristers and solicitors, except as hereinafter provided, for the purpose of ascertaining whether or not the said Rules are being complied with.

2. That the said auditor shall be a member of The Institute of Chartered Accountants of Ontario.

3. That the said Auditor shall report in writing to the Secretary, on each audit as made, stating whether or not the said Rules have been complied with and making any other comment he may deem it advisable to make in connection with the manner in which the books and accounts of any barrister and solicitor so audited by him are kept.

4. That the said auditor shall not be required to audit the books and accounts of any barrister and solicitor whose books and accounts are audited by an auditor approved by the Finance Committee and who files, annually, with the Secretary, a statement of such auditor that the said Rules have been complied with.

5. That for the purposes hereof, every member of The Institute of Chartered Accountants of Ontario, The Association of Accountants and Auditors in Ontario, and The General Accountants Association, shall be deemed to be (until disqualified by order of the Finance Committee) an auditor approved by the Finance Committee.

The motion was referred to the Special Committee on Rules Respecting Accounts.

Moved, seconded and carried, that Mr. Seymour be appointed a member of the Special Committee on Rules Respecting Accounts.

The Treasurer referred to the recent illness of The Right Honourable Sir William Mulock and expressed the regret of Convocation at his absence from this meeting.

It was moved by Mr. Henderson, seconded by Mr. Sims, and unanimously carried that the Secretary convey to Sir William an expression of the sympathy of the Benchers in his illness and their pleasure at the news that he is recovering.

CORRESPONDENCE.

The Treasurer referred to a letter from F. L. Webb asking that a Bencher be appointed to hear further representations as to his disbarment.

On motion it was ordered that the request be refused.

The Treasurer read a letter from the Law Clerk of the Legislative Assembly reporting a *Bill to amend the Statutes Act* with reference to the coming into force of Ontario Statutes.

Order that the letter be received and filed.

The Treasurer read a letter from McGregor Young withdrawing his letter of resignation, as requested by Convocation.

Order that the letter be received and filed.

CONVOCATION THEN ROSE.

MEETING OF CONVOCATION.

Thursday, 18th March, 1937.

Present: The Treasurer and Messrs. Aylen, Carson, Denison, Fuller, Geary, Hays, Hellmuth, Henderson, Kerr, Lucas, Marshall, Mason, Middlebro, Nickle, Rodd, Sims, Sinclair, Smith, G. L., Sweet, Urquhart, Walsh, White and Young.

The Minutes of the meeting of 18th February, 1937, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Admission of Students.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application:

I. MATRICULANT	DATE
1. Thomas Henry Callahan	4th March, 1937.

David Petegorsky asks to have his name changed on the records of the Society to "David Peters" and submits a duplicate deed poll, duly registered.

The Committee recommends that the petition be granted.

Re Examination of Matriculant Students—Rule 86C.

The Chairman reported that the examination on J. A. R. Marriott's "English Political Institutions" and certain parliamentary documents had been set for Friday, April 9th, 1937, and that arrangements had been made to hold the examinations at Toronto and convenient points throughout the province.

Re Legal Education.

The various matters before the Committee were referred to a sub-committee consisting of The Treasurer and Chairman of this Committee. The sub-committee presented a report and after discussion it was recommended that the matters stand for further consideration and report.

THE REPORT WAS ADOPTED.

The Treasurer reported briefly to Convocation on certain matters of Legal Education referred to a subcommittee by the Legal Education Committee.

ORDERED that a copy of the report of the subcommittee be sent to each Bencher.

FINANCE COMMITTEE REPORT.

Mr. G. L. Smith.

MONTHLY STATEMENT—FEBRUARY, 1937.

The usual monthly statement was presented.

RE BUILDING ALTERATIONS.

The Chairman reported that the Order-in-Council had been granted, approving the addition to the east wing and the alterations for the extension of the Great Library in the west wing.

THE REPORT WAS ADOPTED.

BUILDING ALTERATIONS.

ON MOTION IT WAS ORDERED that the Secretary convey to The Honourable the Minister of Public Works the thanks of the Benchers for his interest and assistance in connection with the passing of an Order-in-Council authorizing the extension of the Great Library in the west wing of Osgoode Hall and the addition to the Law Society Building on the east, in accordance with plans submitted.

CALL TO THE BAR.

Mr. Barton James Jolly was introduced and Called to the Bar.

DISBARMENT.

The Secretary placed before Convocation the following Order which in compliance with Rule 81 is entered on the Minutes of Convocation:

Re Charles Doherty Mulvey—Order striking off the Rolls.

Mr. Mason called the attention of Convocation to the Bills now before the Legislative Assembly to amend the County Courts Act and the Division Courts Act increasing the jurisdiction of these courts.

Moved, seconded, and carried, that a Special Committee consisting of The Treasurer and Messrs. Mason, Urquhart and Walsh be appointed to interview the Attorney-General forthwith and to make representations to the effect that the coming into force of the above amendments to the County and Division Courts Acts be postponed.

Moved by Mr. Mason, seconded by Mr. Walsh, and carried, that the Secretary be instructed to make arrangements to receive copies of all Bills as presented in the Legislative Assembly and to report forthwith to the Treasurer all Bills affecting the legal profession.

Mr. Rodd read a letter from the Essex Law Association with reference to the encroachments of unqualified persons.

The letter was referred to the Encroachments Committee for consideration.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. J. R. Marshall.

Annual Grant.

The following County Law Association having filed Annual Returns for the year 1936 in accordance with Rule 62, is entitled to the annual grant as set out, viz.:

1. Lanark	$140.00.

and your Committee therefore reports same to the Finance Committee and this Association having complied in all other respects with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, your Committee recommends the payment of the said annual grant above mentioned.

Your Committee recommend that the Associations using funds for banquets and entertainments be written requesting that these be not included as expenditures of the Association.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON FINAL REVISION OF RULES.

Mr. Nickle stated that the Committee cannot finally report until certain proposed amendments have been considered and disposed of.

SPECIAL COMMITTEE ON SURROGATE COURT TARIFF.

Mr. Walsh reported that the Surrogate Court Tariff as recommended by Convocation, has been approved by order-in-council and will become effective on April 1st, 1937.

MOTIONS.

On motion of Mr. Urquhart it was ordered that his motion with reference to the amendment of Rule 61(a) be deferred to the next meeting of Convocation.

CORRESPONDENCE.

The Treasurer read a letter from the Right Honourable Sir William Mulock expressing his thanks to the Benchers for their sympathy in his recent illness.

The Treasurer read a letter from the Deputy Attorney-General with enclosure, in reference to the swearing of affidavits in Surrogate Court matters.

Moved by Mr. Middlebro, seconded by Mr. Urquhart, and carried, that Convocation recommend that the necessary amendments be obtained in the Surrogate Court rules to allow solicitors to swear affidavits in their own non-contentious Surrogate Court matters and that the matter be referred to the Special Committee on Surrogate Court Tariff for consideration and report.

The Treasurer read a letter from a solicitor whose client had complained to the Society of delay on the part of the solicitor in an action in his charge and who explained that the delay was that of the County Court Judge who had tried the action and had not delivered judgment. The Solicitor complained of the unfairness to Solicitors of such delays on the part of certain County Judges.

It was ordered that the Secretary inform the Minister of Justice of the facts of the matter and of the solicitor's statement with reference to such delays.

The Treasurer read a letter from Mr. F. L. Webb asking for an opportunity to lay further facts before Convocation with reference to the charge on which he was disbarred.

Moved by Mr. Mason, seconded by Mr. Young, and carried, that the Secretary inform Mr. Webb that if he desires to have the matter further considered by Convocation he must submit a written statement of the facts which he alleges are disclosed by papers recently found and indicate their relation to the charge dealt with.

CONVOCATION THEN ROSE.

MEETING OF CONVOCATION.

Thursday, 15th April, 1937.

Present: The Treasurer and Messrs. Aylen, Bullen, Carson, Davis, Denison, Fuller, Geary, Gordon, Hellmuth, Kerr, King, Marshall, Mason, Middlebro, McCarthy, McPherson, McRuer, Nickle, Rodd, Seymour, Shaver, Sims, Sinclair, Urquhart, Walsh, White and Young.

The Minutes of the meeting of 18th March, 1937, were read and confirmed.

RE BUILDING ALTERATIONS.

The Treasurer reported briefly on the progress of the negotiations as to the material to be used in the new building and on the problem of heating the present building and addition. He stated that the Committee expected to call for tenders about June 1st and to begin construction about June 15th.

LEGAL EDUCATION COMMITTEE REPORT

Mr. Denison.

ADMISSION OF STUDENTS.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application—

I. GRADUATE	DATE
1. Robert Arnold Kingston	10th March, 1937

APPOINTMENT OF LECTURERS.

The Committee recommend that MR. A. A. MACDONALD, K.C. be appointed Lecturer in Personal Chattels for the period of one year from May 31st, 1937, at a salary of $1,000.00 per annum, and that MR. H. P. EDGE be appointed Lecturer in Bills and Notes for the period of one year from May 31st, 1937, at a salary of $600.00 per annum.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. McCarthy presented the report of the Finance Committee.

Monthly Statement—March, 1937.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

The Treasurer reported that at the last meeting of the Discipline Committee Mr. D. L. McCarthy, K.C. had been appointed Chairman of the Committee.

Re Joseph Murray Gordon.

Mr. McCarthy presented the report of the Discipline Committee herein.

The Solicitor appeared with his counsel, Mr. A. A. Macdonald, K.C. and both addressed Convocation.

The report of the Discipline Committee in the matter of Joseph Murray Gordon, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted to the effect,

That upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Joseph Murray Gordon guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report,

That the said Joseph Murray Gordon be disbarred,

That the said Joseph Murray Gordon is unworthy to practise as a Solicitor.

Re Amos Hyman Brown.

Mr. McCarthy presented the report of the Discipline Committee herein.

The Solicitor appeared and addressed Convocation.

On motion of Mr. McCarthy the report was adopted.

The Solicitor appeared before Convocation and was reprimanded by the Treasurer.

Re James Tudor Jackson.

Mr. McCarthy presented the report of the Discipline Committee herein.

The Solicitor appeared and addressed Convocation.

On motion duly seconded the report was referred back to the Discipline Committee for further consideration.

CALL TO THE BAR.

Mr. Charles Frederick Adams was introduced and Called to the Bar.

Re John Emeric Stuart Taylor.

Mr. McCarthy presented the report of the Discipline Committee herein.

The Treasurer read a letter from the Solicitor enclosing a statement in reply to the report of the Committee and asking that consideration of the report be postponed.

On motion duly seconded the report was referred back to the Discipline Committee for further consideration.

ENCROACHMENTS COMMITTEE REPORT.

At the request of the Chairman, Mr. Urquhart presented the report of the Encroachments Committee recommending investigation with a view to further proceedings in certain cases.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

At the request of the Chairman, Mr. Kerr presented the report of the County Libraries Committee.

Essex Law Association.

A letter dated April 12th from Mr. J. H. Rodd, K.C. setting out the present financial position of the Association was considered and your Committee recommend that, in view of the extraordinary expenditures recently incurred in moving their library, the recently made loan to this Association be made a special grant to this Association, provided that if the rules are amended increasing the maximum annual grant to Associations, that this grant to the Essex Association will be applied on account of any such increased maximum annual grant to which it may become entitled.

Nipissing Law Association.

A letter dated 6th April, 1937, from the Secretary of this Association has been received stating that the Association was recently organized and enclosing a statutory declaration as to incorporation under paragraph 2 of Rule 58, and a copy of the Constitution. It is shown by the returns that $60 in annual membership fees has been collected, namely 6 town members at $10. This would make the initiatory or first grant under Rule 60, $120 and your Committee recommend that a cheque for this amount be issued to the Association.

Temiskaming Law Association.

In reference to the application of this Association for a loan in order to purchase a set of the English Law Reports series, it was decided to leave the matter in the hands of the Chairman to see what arrangements can be made pending further correspondence as to how this matter might be worked out.

Rainy River Law Association.

The financial status of this Association was considered by the Committee and the matter left in the Chairman's hands.

DUFFERIN LAW ASSOCIATION.

A letter dated April 7th was received from the Librarian of this Association stating that a number of textbooks, about 20 in all, have been forwarded to the Temiskaming Law Association at Haileybury. These volumes were duplicates and not required by the Dufferin Law Association.

NORTHUMBERLAND AND DURHAM LAW ASSOCIATION.

The Chairman reported the receipt of a letter from Mr. Wilmott of Cobourg, that a meeting was to be held within the next two weeks for the purpose of considering reorganization of the Northumberland and Durham Law Association and that Mr. F. D. Kerr was being invited to attend.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE SURROGATE COURT.

Mr. Walsh presented the report of the Special Committee re Surrogate Court Rules as to the swearing of affidavits.

The Committee was asked to consider the matter of the swearing of affidavits in Surrogate Court matters and to report to Convocation thereon.

The Committee recommends that the Attorney-General be requested to obtain the necessary amendments in the Surrogate Court Rules to allow solicitors to swear affidavits in their own non-contentious Surrogate Court matters.

THE REPORT WAS ADOPTED.

The Treasurer, for the Special Committee appointed to interview the Attorney-General with reference to the amendments to the *County and Division Courts Acts,* reported that a section had been included in the Statute Law Amendments Act to postpone the coming into force of the amendments increasing the jurisdiction of the said Courts.

The matter was again referred to the same Committee for further consideration and necessary action. Mr. Aylen was added to the Committee and the Committee was given power to add further to its number.

MOTION.

On motion of Mr. Urquhart it was ordered that his motion with reference to the amendment of Rule 61(a) be deferred to the next meeting of Convocation.

RE CANADIAN BAR ASSOCIATION.

It was reported to Convocation that the Canadian Bar Association would hold its annual meeting at Toronto on August 18th, 19th and 20th, 1937.

The matter was referred to the Finance Committee for consideration, including the granting of an appropriation if necessary and with power to appoint a Special Committee in this behalf.

CORRESPONDENCE.

The Treasurer read a letter from Mrs. Edith Ludwig expressing her appreciation of the Memorial to the late Treasurer.

The Treasurer read a letter from the Deputy Attorney-General with reference to *delayed judgments.*

On motion the matter was referred to a Special Committee to be named by the Treasurer, to consider the matter and report recommendations to the next meeting of Convocation.

The Treasurer named a Special Committee consisting of Messrs. McCarthy, Carson, Bullen, White, and the Treasurer.

CONVOCATION THEN ROSE.

R. S. Robertson,
Treasurer.

MEETING OF CONVOCATION.

Thursday, 20th May, 1937.

Present.—Messrs. Aylen, Carson, Davis, Denison, Dunbar, Fuller, Geary, Hays, King, Lucas, Marshall, Mason, Middlebro, Nickle, Robertson, Roebuck, Seymour, Shaver, Sinclair, Smith, G. L., Smith, H. D., Sweet, Urquhart, Walsh, White, and Young.

Mr. J. S. Denison, K.C., was appointed Chairman.

Election of Treasurer.

Mr. R. S. Robertson, K.C., was elected Treasurer for the ensuing year and thereupon took the chair.

The Minutes of the meeting of Convocation of April 15th, 1937, were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES.

The following standing committees were appointed to hold office until May, 1938:—

Finance.—Sir Allen Aylesworth and Messrs. C. F. H. Carson, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, D. L. McCarthy, Charles McCrea, J. C. McRuer, W. F. Nickle, G. L. Smith, Edmund Sweet, Peter White, McGregor Young.

Legal Education.—Messrs. H. A. Aylen, C. F. H. Carson, J. S. Denison, Hon. G. R. Geary, G. F. Henderson, F. D. Kerr, G. W. Mason, W. S. Middlebro, D. L. McCarthy, J. C. McRuer, W. F. Nickle, G. N. Shaver, H. J. Sims, G. L. Smith, G. A. Urquhart, Peter White, McGregor Young.

Reporting.—Messrs. C. F. H. Carson, J. S. Denison, C. L. Dunbar, G. F. Henderson, Hon. F. J. Hughes, J. R. Marshall, T. G. Meredith, D. L. McCarthy, J. C. McRuer, M. A. Seymour, W. E. N. Sinclair, G. L. Smith, Edmund Sweet, G. A. Urquhart, G. T. Walsh, McGregor Young.

Discipline.—Messrs. J. M. Bullen, C. F. H. Carson, A. G. Davis, J. S. Denison, C. L. Dunbar, I. F. Hellmuth, Hon. F. J. Hughes, G. W. Mason, W. S. Middlebro, D. L. McCarthy, J. C. McRuer, G. N. Shaver, W. E. N. Sinclair, G. L. Smith, G. A. Urquhart, Peter White, McGregor Young.

Library.—Messrs. J. M. Bullen, J. S. Denison, H. E. Fuller, Hon. G. R. Geary, G. W. Mason, Charles McCrea, G. G. McPherson, G. N. Shaver, H. J. Sims, W. E. N. Sinclair, G. L. Smith, H. D. Smith, G. T. Walsh, McGregor Young.

Encroachments.—Messrs. H. A. Aylen, Sir Allen Aylesworth, W. A. Boys, J. S. Denison, Hon. W. A. Gordon, R. C. Hays, F. D. Kerr, Francis King, G. W. Mason, W. S. Middlebro, Charles McCrea, J. C. McRuer, W. N. Ponton, H. J. Sims, H. D. Smith, G. A. Urquhart, G. T. Walsh.

County Libraries.—Messrs. H. A. Aylen, W. A. Boys, H. E. Fuller, Hon. W. A. Gordon, R. C. Hays, G. F. Henderson, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, T. G. Meredith, W. S. Middlebro, W. F. Nickle, W. N. Ponton, J. H. Rodd, M. A. Seymour, G. N. Shaver, H. J. Sims, G. L. Smith, H. D. Smith, Edmund Sweet, G. A. Urquhart, Peter White, McGregor Young.

APPOINTMENT OF AUDITOR.

Mr. R. J. Dilworth, of Messrs. Clarkson, Gordon, Dilworth & Nash, Chartered Accountants, was appointed auditor of the Society for the period of one year from the 1st June, 1937.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Certificate of Fitness.—Special.

Thomas Douglas McMillan Latta, a Solicitor of the Province of British Columbia, was granted a Certificate of Fitness to practise as a solicitor under Rule 136(e).

Results of Examination for Matriculant Students.—Rule 86C.

A record of the returns of the examiner (the Dean) of the special examination for Matriculants on J. A. R. Marriott's English Political Institutions and other documents, was submitted.

Re Legal Education.

Your Committee further considered the report of the Treasurer and Chairman on the various matters of legal education before the Committee, and also reports from several County Law Associations and from members of Convocation, and after a full discussion, your Committee recommends that no change be made in the rules at the present time.

Mr. Denison moved the adoption of the report.

Mr. Aylen spoke of certain proposed changes in the Law School and asked if the adoption of the report precluded further discussion of these changes.

The Treasurer explained that it was the intention of the Committee that the matter would be further considered at an early date.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

Mr. G. L. Smith.

Monthly Statement—April, 1937.

The usual monthly statement was presented.

Arrears of Fees.

A list of Solicitors and Barristers in arrears is submitted. The following solicitors have been suspended under the Solicitors Act for failure to take out their annual certificates—

1. A. Cyril Clark, Toronto.
2. J. D. Currie, Toronto.
3. T. M. McCarron, St. Catharines.

BAR ONLY.

A list is submitted of members who pay Bar fee only and stating their present occupations.

RE CANADIAN BAR ASSOCIATION.—August 18th, 19th, 20th, 1937.

Convocation referred to this Committee the question of entertainment including the granting of an appropriation if necessary and with power to appoint a Special Committee in this behalf.

Your Committee recommends—

(1) That the matter of entertainment of the Conference of Governing Bodies of the Legal Profession in Canada and of the Canadian Bar Association be referred, with power to act, to a Special Committee composed of the Toronto members of Convocation on the Council of the Canadian Bar Association—Mr. McCarthy (chairman), The Treasurer, and Messrs. Carson, Geary, McRuer and G. L. Smith.

(2) That the Special Committee be empowered to make arrangements for the use of a suitable room at Osgoode Hall for the meeting of the Conference and to entertain at luncheon the members of the Conference, the Council of the Canadian Bar Association and members of Convocation, and that a sufficient appropriation be made for the purposes thereof.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

RE JOHN EMERIC STUART TAYLOR.

In the absence of the Chairman, Mr. White reported with respect to the report of the Discipline Committee as presented to Convocation on April 15th which was referred back to the Committee, that the Committee after further consideration confirmed its former findings and report, and that the solicitor had been so notified by registered letter.

Mr. White read a letter from the solicitor stating that he would not be present at this meeting of Convocation.

The Solicitor did not appear nor was he represented by counsel.

On motion it was ordered that the report be adopted and that the solicitor be suspended from practice for the period of one month from the day following the meeting of Convocation in June next, unless the solicitor appears at that meeting to be reprimanded.

Re James Tudor Jackson.

Mr. White reported that the report of the Discipline Committee as presented to Convocation on April 15th was referred back and that the Committee after further consideration recommends that no further evidence be taken and no further formal report be made but that in lieu of the former recommendation it recommends that the solicitor attend before the Discipline Committee to be instructed as to the Committee's views by the Chairman.

On motion of Mr. White the Committee's recommendation was approved and adopted.

DISBARMENT.

The Secretary placed before Convocation the following Order which in compliance with Rule 81 is entered on the Minutes of Convocation—

Re Joseph Murray Gordon.—Order striking off the Rolls.

REPORTING COMMITTEE REPORT.

Mr. Urquhart.

The Committee reported on the division of duties between the Editor and Consulting Editor and on the preparation and contents of the Reports.

THE REPORT WAS ADOPTED.

ENCROACHMENTS COMMITTEE REPORT.

Mr. Middlebro.

The Committee has appointed Mr. L. E. Blackwell as special investigator into cases of unauthorized practice in Ontario.

The Committee considered certain cases of encroachments and recommended investigation.

Re County Court Judges Association.

With reference to the letter from His Honour Judge Owens, Secretary of the County Judges Association, regarding the omission from the Act increasing the jurisdiction of the County Court, of a provision giving the Judges power to increase the tariff of fees in respect of such increased jurisdiction, the Committee recommends that a letter be sent by the Secretary to the Secretary of the County Court Judges Association thanking them for their interest and stating that the whole matter of increased jurisdiction, including the question of costs, was now before a Special Committee of the Benchers who were in communication with the Attorney-General's Department respecting the same, and that the communication from His Honour Judge Owens be referred to that Special Committee.

Mr. Walter Bruchausen, Chairman of the Committee on unauthorized practice in the City of New York, sat in with the Committee during its deliberations and at the conclusion thereof gave a very interesting and instructive address regarding the means being adopted in that State to prevent the unauthorized practice of law therein.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Nipissing Law Association.

A letter dated 30th ultimo from the Secretary acknowledging the receipt of the initiatory grant of $120.00 and requesting that the question of additional aid be considered was read. After discussion the Chief Librarian was instructed to write the Secretary to ascertain if the other members who had signed the memorandum of membership had paid their membership fees and if so the question of an additional grant was to stand till next meeting.

Rainy River Law Association.

The application for a loan was considered and it was decided to defer action until the Library has been inspected.

Temiskaming Law Association.

The Chairman reported that the application of this Association for a loan stand until next meeting pending further information.

Essex Law Association.

A letter dated 17th April from the Secretary of this Association expressing the appreciation of the Association for the special grant to it by the Law Society, was read.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar—

1. Margaret Moncrieff Struthers.
2. Francis Henry Chambers.
3. Frank Kent Hamilton (Special—Manitoba).
4. Jon Ragnar Johnson (Special—Manitoba).

MOTION.

Having given due notice, Mr. Urquhart moved, seconded by Mr. Walsh—

That the Rules of the Society be amended by repealing Rule 61(a).

IT WAS MOVED IN AMENDMENT by Mr. Marshall, seconded by Mr. King, that the motion be referred to the Finance and County Libraries Committees as a joint committee for consideration and report.

THE AMENDMENT WAS CARRIED.

CORRESPONDENCE.

The Secretary read a letter from the Secretary-Treasurer of the Southwestern Ontario Bar Council with reference to matters of Legal Education.

The letter was referred to the Legal Education Committee.

The Secretary read a letter from the Secretary-Treasurer of the Southwestern Ontario Bar Council with reference to various matters of jurisdiction and costs.

The letter was referred to the Special Committee appointed with reference to the amendments to the County and Division Courts Acts.

The Treasurer presented a letter from MR. H. J. FINE asking that he be reinstated as a Barrister and Solicitor.

The letter was referred to the Discipline Committee.

CONVOCATION THEN ROSE.

MEETING OF CONVOCATION.

Thursday, 17th June, 1937.

PRESENT—The Treasurer and Messrs. Aylen, Carson, Denison, Fuller, Geary, Hays, Kerr, King, Marshall, Mason, Middlebro, McCarthy, McCrea, McRuer, Nickle, Ponton, Seymour, Smith, H. D., Sweet, Urquhart, Walsh, White and Young.

SPECIAL PROCEEDINGS—Call to the Bar.

On motion of Mr. Denison, IT WAS ORDERED that the report of the Legal Education Committee as to the Presentation of Medals, awarding of Honours, and Call to the Bar, be received and adopted and that Convocation proceed with the presentation and Call to the Bar.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduates and friends. The following candidates were introduced by the Chairman of the Legal Education Committee and were Called to the Bar by the Treasurer—

1. Hubert Page Beale.
2. Charles Christie Hill.
3. John Doran McNamara.
4. Hector Mansfield Howell.
5. Tommey Vincent McManamy.
6. Robert Young.
7. John George Schnarr.
8. Donald Hector Lines Lamont.
9. Arthur John Cassels Anglin.
10. Margaret Elizabeth Fasken Baird.
11. Donald Eric Calvert, with Honours, Bronze Medal and Matthew Wilson Memorial Scholarship.

12. Edward Platt Coy.
13. John David Stuart Cromarty.
14. George Keith Drynan.
15. Ross Joseph Dunn.
16. Wilmot Bulkley Gordon.
17. Robert Wesley Harcourt.
18. Charles Pacey Haskett.
19. Gordon Fripp Henderson.
20. Orian Edgar Beverley Low.
21. Keith Powell Moffat.
22. Robert Muir.
23. Roderick Watson MacLean.
24. John Parker.
25. Peter White.
26. John Kenneth Blair.
27. James Somerset Graham.
28. Lee Roswell Graham.
29. Hamnett Pinley Hill.
30. John Douglas Wilson.
31. William David Conklin.
32. John Gwyn Osler.
33. George Roderick Gerard Phelan.
34. John Williamson Hamilton.
35. Edward Franklin Borbridge.
36. Reginald James Chandler.

The Treasurer, Mr. R. S. Robertson, K.C., addressed the graduates who were Called to the Bar.

PRESENTATION OF MEDAL.

MR. DONALD ERIC CALVERT was presented with the Bronze Medal awarded to him at the Easter 1937 examinations.

Convocation re-assembled in Convocation room.

The Minutes of the meeting of Convocation of May 20th, 1937, were read and confirmed.

FINANCE COMMITTEE REPORT.

The Secretary.

ELECTION OF CHAIRMAN.

Mr. G. L. Smith, K.C. was elected Chairman.

MONTHLY STATEMENT—MAY, 1937.

The usual monthly statement was presented.

ARREARS OF FEES.

A list of Solicitors and Barristers in arrears is submitted. The following solicitor has been suspended under the Solicitors Act for failure to take out his annual certificate—

POLYDOR E. LANOUE, Windsor.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

RE JOHN EMERIC STUART TAYLOR.

Mr. McCarthy presented the report of the Discipline Committee as read to Convocation on April 15th and read the motion adopted by Convocation on May 20th that the report be adopted and that the Solicitor be suspended from practice for the period of one month from the day following the meeting of Convocation in June, unless the Solicitor appeared at that meeting to be reprimanded.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of John Emeric Stuart Taylor, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted to the effect

THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said John Emeric Stuart Taylor guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

THAT the said John Emeric Stuart Taylor be suspended from practice as a Barrister and Solicitor for the period of one month from the 18th day of June, 1937.

RE HARRY JOSEPH FINE.

Mr. McCarthy presented the report of the Discipline Committee recommending that no action be taken on Mr. Fine's application for reinstatement.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

Mr. Young.

ELECTION OF CHAIRMAN.

Mr. McGregor Young, K.C., was elected Chairman.

THE REPORT WAS ADOPTED.

ENCROACHMENTS COMMITTEE REPORT.

At the request of the Chairman, Mr. H. D. Smith presented the report.

ELECTION OF CHAIRMAN.

Mr. G. W. Mason, K.C. was elected Chairman.

The Committee considered certain cases of unauthorized practice and instructed the Secretary to obtain further information.

The Committee further considered certain cases of unauthorized practice which have been before the Committee and have referred them to Mr. Blackwell for investigation and report.

The Committee recommends that on all matters referred to Mr. Blackwell, he confer with the Chairman and Mr. Urquhart as to his investigations and reports.

RE CHANGE OF NAME OF COMMITTEE.

The Committee recommends that the name of the Committee be changed to *"Committee on Unauthorized*

Practice" and that Rules 27 and 85A be amended by striking out the word "Encroachments" wherever it occurs and substituting therefor the words "Unauthorized Practice".

THE REPORT WAS ADOPTED.

AMENDMENT OF RULES.

On motion it was ordered that Rule 23 be suspended.

On motion it was ordered that Rules 27 and 85A be amended by striking out the word "Encroachments" wherever it occurs and substituting therefor the words "Unauthorized Practice".

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Appointment of Chairman.

The Committee appointed Mr. G. F. Henderson, K.C. of Ottawa as Chairman and Mr. J. R. Marshall, K.C. of Hamilton as Vice-chairman.

Lincoln Law Association.

An application from the Lincoln Law Association for a loan of $700.00 to purchase additional books was considered.

The Committee recommend that a loan of $700.00 be granted repayable $100.00 per year without interest, upon the usual bonds being furnished.

Temiskaming Law Association.

The Temiskaming Law Association advise that they have made other arrangements as to the purchase of the English Law Reports and that they withdraw their application for a loan.

Northumberland & Durham Law Association.

This Association held a meeting on June 1st and have filed their financial statement for 1936 and report that progress is being made in reviving the Association.

The Committee recommend that the question of the annual grant be laid over until the next meeting pending the obtaining of further information and statements.

RE INSPECTION.

The Committee recommend that the Chief Librarian be authorized to make the annual inspection of County law libraries as required by the Rules, and the Committee recommend the payment of the necessary travelling expenses as in previous years.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE CANADIAN BAR ASSOCIATION ANNUAL MEETING.

Mr. McCarthy.

Mr. McCarthy reported on the plans for the meeting of the Canadian Bar Association in Toronto on August 18th, 19th and 20th, 1937, and on certain suggested entertainment to be provided by the Law Society.

THE REPORT WAS RECEIVED.

ON MOTION IT WAS ORDERED that the Society provide suitable accommodation for the meeting of the Conference of Governing Bodies of the Legal Profession in Canada and of the Council of the Canadian Bar Association on Tuesday, August 17th.

ON MOTION IT WAS ORDERED that the Society provide luncheon in Convocation Hall on Tuesday, August 17th for the members of the Conference, the Council of the Canadian Bar Association, and Convocation.

ON MOTION IT WAS ORDERED that the Society be host to the members and guests of the Canadian Bar Association at a reception and Ball at the Royal York Hotel, on Wednesday, August 18th at 10 p.m.

Moved by Mr. King, seconded by Mr. Middlebro, and carried, that all matters in connection with these events and all details thereof be referred to the Special Committee with power to act.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Election of Chairman.

Mr. J. Shirley Denison, K.C. was elected Chairman

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their application—

I. Graduates	Date
1. William Hubert Dixon	20th May, 1937.
2. Joseph Arthur Enstone	27th May, 1937.

APPROVED.

Examination Results—Easter, 1937.

Honours—Third Year.

The following candidates are entitled to be passed with Honours—

1. Ernie Marks.
2. H. Freshman.
3. D. E. Calvert.
4. D. A. Arbuckle.
5. H. Rotenberg.
6. H. L. Fruitman.
7. W. T. McCallum.
8. R. S. J. Davies.

Scholarships—Third Year.

The following are entitled to Scholarships—

Chancellor Van Koughnet Scholarship—$400.00
Ernie Marks.

Christopher Robinson Memorial Scholarship—$100.00
H. Freshman.

Matthew Wilson Memorial Scholarship—$45.00
D. E. Calvert.

Clara Brett Martin Memorial Scholarship—$25.00
D. A. Arbuckle.

Medals—Third Year.

The following candidates, being in due course, and having passed the final examination with Honours, are entitled to Medals—

Silver Medal—Ernie Marks.
Bronze Medal—H. Freshman.
Bronze Medal—D. E. Calvert.

Honours—Second Year.

The following candidates are entitled to be passed with Honours—

1. G. A. Martin.
2. N. M. Pivnick.
3. J. F. Perrett.
4. E. L. Sparling.
5. L. Holness.

Scholarships—Second Year.

The following are entitled to Scholarships—

1.	G. A. Martin	$100.00
2.	N. M. Pivnick	60.00
3.	J. F. Perrett	40.00

Honours—First Year.

The following candidates are entitled to be passed with Honours—

1. A. N. Kearns.
2. W. H. C. Boyd.
3. A. E. Robinette.
4. D. Vanek.

Scholarships—First Year.

The following are entitled to Scholarships—

1.	A. N. Kearns	$100.00
2.	W. H. C. Boyd	60.00
3.	A. E. Robinette	40.00

W. G. C. Howland obtained on his total 30 marks more than the first Honour Student but failed to obtain the required 65 per cent. in one subject. The Committee recommend that he be granted Honour standing.

Re Bookkeeping Lectures.

Report of sub-committee—The Chairman and Messrs. Geary and White.

The Committee recommends that a simple system of bookkeeping as agreed on by the sub-committee and the Society's auditor be taught and demonstrated in the Law School.

Re Wallace Nesbitt Prize Essay Competition.

For the information of this Committee, the report of the Committee in this matter is submitted.

The Committee recommend that this report be received and approved.

Re Southwestern Ontario Bar Council.

Mr. Weir's letter of April 28th enclosing a copy of a report of a committee of this Council was referred to this Committee by Convocation.

The Committee recommend that this matter stand.

THE REPORT WAS ADOPTED.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

Mr. Denison presented the report of the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled—

Wallace Nesbitt Trust.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation approved on September 17, 1936, the terms of a Prize Essay Competition as submitted by the Committee nominated in the trust declaration, consisting

of The Treasurer of the Law Society, the Chairman of the Legal Education Committee, and the Dean of the Law School.

2. The Committee now reports for the information of Convocation that prizes have been awarded in the said Competition as follows:

First Prize of $100.00 to IRVING HIMEL, a second year student; his essay being entitled "The 'Yellow Dog' Contract".

Second Prize of $50.00 to JOSEPH R. OKELL, a second year student; his essay being entitled "The Evolution of the Grand Jury".

All of which is respectfully submitted.

Dated the 3rd day of June, 1937.

"J. SHIRLEY DENISON".
"R. S. ROBERTSON".
"JOHN D. FALCONBRIDGE".

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE AMENDMENT OF RULE 61(a).

Mr. Marshall.

The Special Committee of the Finance and County Libraries Committees, to which was referred for report the Motion made by Mr. Urquhart regarding Rule 61(a) begs leave to report that it recommends that the matter be postponed until the September meeting of Convocation pending further consideration by the Joint Committees.

THE REPORT WAS ADOPTED.

Moved by Mr. McRuer, seconded by Mr. Fuller, and carried that the Special Committee (Finance and County Libraries) appointed to consider the amendment of Rule 61(a) be asked to make a survey of the requirements of the County Libraries and the financial assistance necessary to bring these Libraries up to the highest efficiency consistent with the needs of their respective districts and to make such recommendations in regard thereto as it considers advisable.

SPECIAL COMMITTEE RE SURROGATE COURT PRACTICE.

Mr. Walsh reported the passing of an Order-in-Council allowing any solicitor to take any affidavits in connection with any of his non-contentious business in Surrogate Court matters.

Mr. Walsh also reported that it had been brought to his attention that by a recent ruling of the Department a solicitor was not allowed to take affidavits of his clients in connection with Succession Duty matters.

The matter was referred to the Special Committee for consideration and report.

SPECIAL COMMITTEE ON FINAL REVISION OF RULES.

Mr. Nickle reported that the Rules have been finally revised by the Special Committee and are before Convocation for action.

On motion it was ordered that the Rules as revised and now before Convocation, including the amendments passed at this meeting, be approved, adopted, and printed forthwith.

SPECIAL COMMITTEE RE COUNTY AND DIVISION COURTS ACTS.

The Treasurer reported on a meeting of the Committee with the Justices of the Supreme Court of Ontario and stated that it was the opinion of the Committee that the recent amendments increasing the jurisdiction should be repealed.

CORRESPONDENCE.

The Treasurer read a letter from Mr. A. A. Moffat, K.C., Secretary-Treasurer of the Conference of Governing Bodies of the Legal Profession, with reference to reciprocal relations.

On motion it was ordered that the letter be received and filed.

The Treasurer read a letter from Mr. R. F. Wilson, counsel for Mr. F. L. Webb, enclosing statement with reference to certain papers in the Clelland Estate recently discovered, and a letter from Sir Allen Aylesworth.

On motion it was ordered that these letters be referred to the Discipline Committee for consideration and report.

The Treasurer read a letter from Mr. F. A. Brewin reporting on the year's work of the Toronto Legal Aid Bureau.

On motion the report was received and Convocation expressed its appreciation and approval of the work of the Bureau.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,

Treasurer.

MEETING OF CONVOCATION.

Thursday, 16th September, 1937.

PRESENT—The Treasurer, Sir William Mulock, and Messrs. Aylen, Bullen, Denison, Dunbar, Fuller, Geary, King, Marshall, Middlebro, McCarthy, McRuer, Ponton, Seymour, Sims, Sinclair, Urquhart, Walsh, White and Young.

The Minutes of the meeting of June 17th, 1937, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

At the request of the Chairman, Mr. Middlebro presented the report of the Legal Education Committee.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their application:

I. GRADUATES	DATE
1. William Richard Abbott	10th June, 1937
2. James Edward Cullen Beatty	12th August, 1937
3. Norman Frederick Henderson Berlis	14th June, 1937
4. Robert Alfred Best	14th June, 1937
5. Joseph Corti Boland	14th June, 1937
6. William Desmond Gordon Burke Robertson	15th June, 1937
7. Edgar Charles Colter	14th June, 1937
8. Alfred Meadows Ecclestone	15th June, 1937
9. George Arthur Fallis	15th June, 1937
10. George Taylor Gale	8th June, 1937
11. Frank Reginald Gee	15th June, 1937
12. Charles Peter Glover	15th June, 1937
13. William Howell Green	14th June, 1937
14. William Olof Hanson	4th June, 1937

	I. GRADUATES	DATE
15.	John Harold Harrison	12th June, 1937
16.	Oliver Wendell Holland	14th July, 1937
17.	Henry Robinson Howitt	14th June, 1937
18.	Alexander Primrose Grahame Joy	14th June, 1937
19.	James Bicknell Keachie	14th June, 1937
20.	Kenneth Watt Kernaghan	15th June, 1937
21.	Thomas Ellis Ladner	14th June, 1937
22.	Archibald Woodburn Langmuir, Jr.	14th June, 1937
23.	Zebulun Geoffrey Compton Lash	10th June, 1937
24.	Cecil Levy	19th August, 1937
25.	Walter Heming Lind	11th June, 1937
26.	William George Middlebro	16th June, 1937
27.	Kathleen E. Morrison	12th August, 1937
28.	Russell Kennedy McAvoy	15th June, 1937
29.	Charles Lachlan McKinnon	12th June, 1937
30.	Graham Martin MacLachlan	15th May, 1937
31.	Martin Alexander Macnaughton	15th June, 1937
32.	John Grant McNeil	15th June, 1937
33.	James McCubbin	11th June, 1937
34.	Charles Philip Opper	14th June, 1937
35.	John Harty Osler	12th June, 1937
36.	Peter Scarth Osler	15th June, 1937
37.	George Alfred Ponsford	8th June, 1937
38.	Douglas Bond Symons	15th June, 1937
39.	Donald Milner Treadgold	14th June, 1937
40.	Leo Joseph Trottier	28th July, 1937
41.	Robert Scott White	15th June, 1937

	II. MATRICULANTS	
42.	Herbert Arthur Simmonds	3rd September, 1937

SUPPLEMENTAL EXAMINATION RESULTS—SEPTEMBER, 1937.

Third Year.

The record of the returns of the examiners of the supplemental examinations for the Third year, is submitted herewith showing those who have passed, and those who have failed.

RESULTS OF SUPPLEMENTAL EXAMINATION FOR MATRICULANT STUDENTS—RULE 86C.

A record of the return of the examiner (the Dean) is submitted herewith.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1936-1937 is submitted for consideration.

The Committee refer the report to Convocation.

RE LAW SCHOOL—OPENING DATE—SEPTEMBER 21ST.

The question of opening the Law School during the Infantile Paralysis epidemic is before the Committee.

The Committee recommend that the opening of the Law School be postponed for one week or longer if the Treasurer and Chairman so decide.

MR. JACQUES DUSSAULT.

MR. MARCEL PINARD.

Members of the Bar of the Province of Quebec, ask permission to attend certain selected courses of lectures at the Law School, primarily for the purpose of improving their English. A memorandum of the Dean is submitted.

The Committee recommend that they be allowed to attend lectures on payment of a fee of $25.00.

THE REPORT WAS ADOPTED.

DEAN'S REPORT.

Mr. Middlebro read the annual report of the Dean of the Law School as follows:

Annual Report of the Dean of the Law School.

14th September, 1937.

1. I beg leave to submit my fourteenth annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1936-1937.

REGISTRATION OF STUDENTS.

2. The number of students registered and in attendance at the law school during the last two years was as follows:

	1935-1936	1936-1937
First year	161	121
Second year	131	99
Third year	100	127
	392	347

(In 1935-1936 the first year class was abnormally large by reason of the fact that under rule 107 as amended on June 20, 1935, all students of the Matriculant class were required to attend the law school during the first, instead of the third year of their five years of service under articles.)

HOURS OF CLASS INSTRUCTION.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1936-1937 was as follows:

	First year	Second year	Third year	Total
The Dean	48	78	44	170
Dr. D. A. MacRae ...	36	48	82	166
Dr. C. A. Wright	52	36	78	166
Mr. A. R. Clute	30	40	42	112
Mr. H. W. A. Foster.	36	24	24	84
Mr. J. J. Robinette..	80	..	..	80
Mr. W. F. Spence...	..	..	30	30
Mr. H. Borden	..	32	..	32
Mr. K. G. Morden ...	..	42	..	42
Mr. J. W. McFadden	18	..	..	18
	300	300	300	900

BOOKKEEPING AND ACCOUNTING.

4. I recommend that Mr. J. G. Glassco of the firm of Messrs. Clarkson & Company, or if his services should not be available, Mr. C. A. Patterson of the same firm,

be requested again to give a course of lectures to the Third year on bookkeeping and accounting, and that he receive an honorarium of $200.00.

REGULAR TEACHING STAFF AND COURSES OF INSTRUCTION.

5. Some changes in the teaching staff and rearrangements of subjects will become effective during the ensuing session. Mr. Robinette who for the past two years has lectured on the subject of Torts, has retired from the teaching staff, and his subject will be taken by Dr. Wright. I will take Contracts (in two parts, in the first and second years), in Dr. Wright's place, and my former subjects of Personal Chattels (in the first year) and Bills and Notes (in the second year) will be taken by Mr. A. A. Macdonald, K.C. and Mr. H. P. Edge respectively.

6. More recently Mr. Borden has under his physician's advice resigned from the teaching staff, and a new appointment will be necessary in the subject of Company Law. I have consequently rearranged the time-table of lectures so that this subject will not be given until after Christmas.

7. I recommend that the other part-time members of the staff, namely, Messrs. Clute, Foster, Spence, Morden and McFadden, be reappointed for a term of one year from May 31st, 1937.

EXAMINATIONS FOR MATRICULANT STUDENTS.

8. In accordance with rule 86C, as amended on June 20, 1935, all students of the matriculant class who were not in attendance at the law school during the session of 1936-1937 were directed by Convocation to submit themselves for examination on Marriott's English Political Institutions and certain prescribed documents. The examination was held in April, 1937, the paper being set, and the answers read, by me. The results were in my opinion satisfactory, and I recommend that in April, 1938, a similar examination on the same book and documents be held for students of the matriculant class who attended the law school in the session of 1936-1937 in the first of their five years of service under articles. Pro-

vision should also be made for a further examination for students of the matriculant class who attended the law school in the session of 1935-1936 in the first of their five years of service. As these students have already passed an examination on Marriott's book, it will be necessary to prescribe another book or subject for them, and I will at an early date submit my suggestions to the Legal Education Committee, so that due notice may be given to the students.

All of which is respectfully submitted.

"JOHN D. FALCONBRIDGE"
Dean.

IT WAS ORDERED that the recommendations of the Dean in his report be approved, subject to the reservation that the Dean be requested to furnish the Legal Education Committee with further information as to the change in subjects assigned to certain lecturers.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Geary presented the report of the Finance Committee.

MONTHLY STATEMENT, JUNE, JULY AND AUGUST.

The usual monthly statements were presented.

RE CHARGE FOR ANNUAL STATUTES—1938 Dominion and Ontario.

The Committee recommend that the charge to the members of the profession for the annual Statutes be fixed at $5.50 the same as last year.

THE REPORT WAS ADOPTED.

BUILDING COMMITTEE REPORT.

The Treasurer verbally reported for the committee that the contract had been let to Redfern Construction Company Limited at the contract price of $228,400.00, which included the cost of the exterior in Indiana limestone. The Treasurer also reported on the proposed alterations for Library Extension in the West Wing, and on the proposed central heating arrangements and contract with the Government.

Convocation approved the report.

REPORTING COMMITTEE REPORT.

Mr. Urquhart.

Mr. G. A. Urquhart, K.C. was elected Chairman.

Re Ontario Reports.

The Editor reported to your Committee that he had got out during the summer, two parts of the Ontario Reports, namely, July and August, in lieu of one which was customary, and by reason of this had reported all cases decided up to the 6th July, and that the September number was in the press and would pick up all the summer cases and be available within a fortnight.

Re Reporting Arguments in Privy Council.

The Committee discussed the matter of reporting the arguments in the Privy Council.

After considerable discussion it was decided to take no action at the present time.

Re Supplying Reports to Inns of Court.

Mr. McCarthy brought before your Committee the question of supplying the 4 Inns of Court with the reports published by the Society. He pointed out that at the present they have only the Dominion Law Reports.

After considerable discussion the matter was directed to be left over for further consideration by this Committee and also to be referred to the Finance Committee as to whether the cost of such action would be justified.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

In the absence of the Chairman Mr. Urquhart presented the report of the Committee on Unauthorized Practice.

The Committee reported on certain cases of unauthorized practice which have been adjusted to the satisfaction of the Committee and on certain other cases recommending investigation with a view to further proceedings.

Re Barristers' Society Act, New Brunswick.

Mr. Aylen submitted a copy of recent amendments with reference to the subject of unauthorized practice.

Mr. Marshall was asked to prepare a memorandum on this subject as recently dealt with by a Committee of the American Bar Association and the Secretary was instructed to send copies, together with copies of the amendments of the New Brunswick Act to members of the Committee. The Secretary was also instructed to enquire as to the cost of supplying each member of the Committee with copies of the American Bar Association "Unauthorized Practice News".

Re Organization of Mining Companies.

Mr. McRuer was asked to interview Mr. J. M. Godfrey, K.C., Ontario Securities Commissioner, and report back to your Committee at its next meeting.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

Mr. Young.

1. The Committee recommends that the following students be appointed to act as night librarians for the term of 1937-38, viz.:

Miss Isabella E. Arthur—second year.
R. A. Bell—third year.
John L. Jefferies—second year.
J. L. Pond—third year.

2. The Committee recommends that the Library be re-opened in the evenings from 7.30 to 10.30 p.m. commencing on Monday, 20th September, 1937, and on Saturdays from 2 to 5 p.m.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

A letter was received from the Department of the Attorney-General requesting a list of the Associations entitled to share in the government grant for 1937, and the Secretary was instructed to write the three Associations who are in default in returns to file their returns before the list of County Libraries entitled to government grant is sent in.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE AMENDMENT OF RULE 61(a).

The Treasurer reported that consideration of this matter was deferred owing to the illness of Mr. G. L. Smith, Chairman of the Finance Committee.

Convocation approved the report.

SPECIAL COMMITTEE RE CANADIAN BAR ASSOCIATION ANNUAL MEETING, 1937.

Mr. McCarthy.

The Secretary submits the cost of the entertainment as follows:

August 17th—Meetings of the Conference of Governing Bodies and the Council of the Canadian Bar Association, and luncheon to both Association and the Benchers	$ 504.39

August 18th—Reception and Ball at the Royal York Hotel	1,413.96
Total cost	$1,918.35

The members of the Committee and other Benchers expressed approval and appreciation of the arrangements made for the meetings, the luncheon, and the Reception and Ball.

THE REPORT WAS ADOPTED.

The Treasurer expressed to Mr. McCarthy the thanks of the Benchers for his admirable work in connection with the Bar Association meetings.

The Treasurer read a letter from Mr. T. W. Laidlaw, K.C., Secretary-Treasurer of the Canadian Bar Association including the following resolution adopted at the Annual meeting of the Association—

> "To the Treasurer and Benchers of the Law Society of Upper Canada, we extend our heartfelt thanks for their most generous hospitality and the variety of entertainment provided for the members of the Association and the visiting ladies. The arrangements for the meetings have been so carefully planned by the committees in charge and have been executed with such care that this meeting in the City of Toronto will long live in the memories of those who have been fortunate enough to attend as one of their happiest recollections."

The Treasurer read a letter from the Honourable The Chief Justice of Ontario expressing his thanks to the Society for assistance in connection with the Garden Party to the Bar Association.

SPECIAL COMMITTEE RE SURROGATE COURT PRACTICE.

Mr. Walsh reported the passing of two Orders-in-Council of August 23rd, 1937, allowing any solicitor to take any affidavits in connection with any of his non-contentious business in Surrogate Court matters and in Succession Duty matters.

Convocation approved the report and directed that the Orders be reported forthwith in the Ontario Weekly Notes.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar—

1. Rutledge Cheevers Greig.
2. Joseph Adelberg.
3. Alexander George Burbidge.
4. James Frederick McNab.
5. John Walter McNab.
6. Charles Joseph Henry.
7. Frederick Honsberger Baker.
8. Saul Cohen.
9. Malcolm Lloyd McKay.
10. Francis Joseph Jordan.
11. John Edward Cliff.
12. John Ernest Moffat Hancock (with Honours).
13. Bora Laskin (with Honours).
14. James Edward McCurdy.
15. Mary Helene Frawley.
16. Lloyd Hamilton Goodwin.
17. Wilson Dorland Samuel Morden.
18. Daniel Alexander Arbuckle (with Honours and Clara Brett Martin Memorial Scholarship).
19. Edward Andrew O'Neill Higgins.
20. Mary Aileen McGuire.
21. Leopold John Whitney.
22. Marie Valentine Darte.
23. Ernie Marks (with Honours, Silver Medal, and Chancellor Van Koughnet Scholarship).
24. John Joseph McKenna.
25. George Austin Paterson.
26. Burrell Milton Singer.

27. Paul Hayden Armstrong.
28. Richard Samuel Joliffe Davies (with Honours).
29. Simon Gottlieb.
30. John Gauld Langs.
31. Gerald Joseph O'Connor.
32. Archibald Trew Olmsted.
33. Maxwell Sauder.
34. Edgar Frank Stanley Sanders.
35. George Archibald Stiles.
36. Angelo Agro.
37. Alfred John Frost.
38. Harold Alexander McLearn.
39. Milton Shulman.

PRESENTATION OF MEDAL.

Mr. Ernie Marks was presented with the Silver Medal awarded to him at the Easter 1937 examinations.

RE LORD HEWART.

The Treasurer reported on the arrangements for the Benchers' luncheon on Friday the 17th instant at the York Club for The Right Honourable Lord Hewart of Bury, Lord Chief Justice of England.

CORRESPONDENCE.

The Secretary read a letter from the Clerk of the Legislative Assembly advising that the Secretary has been placed on the mailing list to receive copies of all first readings of Bills as introduced in the Legislature.

Ordered that the letter be received and filed.

The Secretary read a letter from Messrs. McKim and Dulmage with reference to stock transfers in Surrogate matters.

Ordered that the letter be referred to the Special Committee on Surrogate Court Practice as appointed by Convocation on the 15th October, 1936.

Mr. Walsh referred to the allowance for costs in appeals from Division Court judgments particularly in cases within the increased jurisdiction.

Ordered that the matter be referred to the Special Committee on Surrogate Court Practice.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,

Treasurer.

MEETING OF CONVOCATION.

Thursday, 21st October, 1937.

PRESENT: The Treasurer, Sir William Mulock, and Messrs. Aylen, Bullen, Conant, Davis, Denison, Dunbar, Fuller, Geary, Gordon, Hays, Kerr, King, Marshall, Mason, Middlebro, McCarthy, McCrea, McRuer, Rodd, Roebuck, Shaver, Sims, Sinclair, Smith, H. D., Sweet, Urquhart, Walsh, White and Young.

The Treasurer welcomed to Convocation The Honourable Gordon D. Conant, K.C., Attorney General of Ontario.

The Minutes of the meeting of Convocation of September 16th, 1937, were read and confirmed.

The Treasurer announced the death on September 28th of The Honourable Rodolphe Lemieux, P.C., K.C., sometime Solicitor-General of Canada, and a Bencher of the Society ex officio, and it was ordered that the expression of sincere regret of the Benchers be recorded in the Minutes.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. George Arthur Addy	11th September, 1937.
2. Leslie Alexander Allen	15th September, 1937.
3. Philip Ephraim Band	14th September, 1937.
4. Edmund Courtenay Benson	30th September, 1937.
5. Harold George Blanchard	15th September, 1937.
6. James Carman Dunlop	15th September, 1937.
7. William Henry Fox	22nd September, 1937.
8. Mary Helena Gallagher	1st September, 1937.

I. GRADUATES	DATE
9. Richard Howard Habbeshaw	15th September, 1937.
10. Edward Nesbitt Heighington	15th September, 1937.
11. Edward Patrick Hogan	22nd September, 1937.
12. Walter Humeniuk	4th September, 1937.
13. Martin Kelner	14th September, 1937.
14. Charles D'Arcy Kingsmill	4th October, 1937.
15. Graham Kneale	30th August, 1937.
16. Arthur Henry Krieger	14th September, 1937.
17. Peter Levine	20th September, 1937.
18. Jack Ackart Lewis	20th September, 1937.
19. Eileen Mitchell	3rd September, 1937.
20. George Angus McNabb	13th September, 1937.
21. Peter Bradbery Parker	15th September, 1937.
22. Arthur Blain Joseph Quinlan	18th September, 1937.
23. James Normart Sissons	15th September, 1937.
24. William Lyon Sommerville	10th September, 1937.
25. John Lamont Stewart	4th October, 1937.
26. William Arthur Sutherland	24th September, 1937.
27. Walter Alexander Tanner	14th September, 1937.
28. Thomas Thomson	21st September, 1937.
29. Benjamin Conroy Unger	24th September, 1937.
30. George Conklin Vair	20th September, 1937.
31. Alfred Robert Clark Walker	15th September, 1937.
32. Isidore Benjamin Weinstein	20th September, 1937.
33. William Elmer Wright	10th September, 1937.
34. Harold Richard Young	14th September, 1937.
35. Arthur H. Zaldin	14th September, 1937.
II. MATRICULANTS	
36. Mary Catherine Corkery	14th September, 1937.
37. Morris Kamin	17th September, 1937.
38. William Frederick Lees	17th September, 1937.
39. John Philip Palmer	8th September, 1937.
40. Peter Lewis Slaght	13th September, 1937.

CERTIFICATE OF FITNESS.

T. V. McMANAMY, a Barrister of this Society was granted a Certificate of Fitness as a Solicitor.

CERTIFICATE OF FITNESS—SPECIAL.

CHARLES FREDERICK ADAMS, a Barrister of this Society and a Barrister and Solicitor of the Province of Alberta, was granted a Certificate of Fitness to practise as a Solicitor under Rule 136(e).

SUPPLEMENTAL EXAMINATION RESULTS—SEPTEMBER, 1937.

First and Second Years.

The record of the returns of the examiners of the supplemental examinations for the First and Second years was submitted showing those who have passed and those who have failed.

APPOINTMENT OF LECTURER.

MR. JOHN S. D. TORY, having been asked to submit his name for this appointment the Committee recommended that he be appointed Lecturer in Company Law for a period of one year from September 1st, 1937, at a salary of $800.00 per annum.

RE EXAMINATIONS FOR MATRICULANT STUDENTS—Rule 86C.

The Dean submitted a letter with reference to the examination of second and third year students of this class.

The Committee recommended that this matter be referred to the Chairman and the Dean of the Law School with power to act.

RE ADMISSION REQUIREMENTS.

A letter from Mr. Redmond Quain, K.C., with enclosures was submitted.

The Committee recommended that a copy be sent to each member of the Committee and that the matter be further considered at the next meeting.

RE SOUTHWESTERN ONTARIO BAR COUNCIL.

Mr. C. Weir's letter of April 28th enclosing a copy of a report of a Committee of this Council, as referred by Convocation, stands from 16th June.

The Committee recommended that a copy be sent to each member of the Committee and that the matter be further considered at the next meeting.

Change of Name.

Irwin M. Levy, 2nd year, asks to have his name changed on the Rolls and Records of the Society from Irwin M. Levy to "Paul Irwin Henry". A Deed Poll dated September 1937 was duly entered on September 23rd, 1937.

The Committee recommended that the petition be granted.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Geary presented the report of the Finance Committee.

Annual Financial Statement—1936-37.

The annual statement for the year ending 31st August, 1937, as certified by the auditor, Messrs. Clarkson, Gordon, Dilworth & Nash was submitted.

Estimates—1937-1938.

An estimate of the probable receipts and expenditures for the year 1937-1938 was submitted.

Monthly Statement—September, 1937.

The usual monthly statement was presented.

Re Building Reserve.

In accordance with the suggestion of the auditor, the Committee recommend the transfer of $15,000.00 from interest income to this reserve and the allocation to this fund of securities to this amount.

THE REPORT WAS ADOPTED.

It was ordered that the Annual Financial Statement for the year ending 31st August, 1937, be printed in the O.W.N.

On motion Mr. J. M. Bullen was appointed a member of the Finance Committee.

DISCIPLINE COMMITTEE REPORT.

Re Thomas Abner Melville Hulse.

Mr. McCarthy presented the report of the Discipline Committee herein.

The Solicitor appeared and addressed Convocation.

The report of the Discipline Committee in the matter of Thomas Abner Melville Hulse, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted to the effect

That upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Thomas Abner Melville Hulse guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Thomas Abner Melville Hulse be disbarred.

That the said Thomas Abner Melville Hulse is unworthy to practise as a Solicitor.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar—

1. Shirley Armstrong King Logan.
2. John Latimer Crozier.
3. Thomas Robinette Godfrey.
4. Jacob Goodman.
5. Patrick David McConnell.
6. Harry Rotenberg (with Honours).
7. Gavin Henry Young.
8. Norman Alan Ferguson.
9. Donald Roebuck Walkinshaw.
10. Albert John Glass.
11. Wolverstan Laird Thomas.
12. Herbert Freshman (with Honours, Bronze Medal and Christopher Robinson Memorial Schol.).
13. Albert Bismarck Henderson.
14. Charles Lea.
15. Arthur Hamilton Thompson.

PRESENTATION OF BRONZE MEDAL.

MR. HERBERT FRESHMAN was presented with the Bronze Medal awarded to him at the Easter examinations, 1937.

REPORTING COMMITTEE REPORT.

MR. URQUHART.

RE SUPPLYING REPORTS TO INNS OF COURT.

After further consideration the Committee recommended that no action be taken in this matter at the present time.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

MR. MASON.

The Committee has appointed a sub-committee consisting of Messrs. Walsh, Marshall and Urquhart, to consider a communication received from Mr. J. R. Marshall, K.C., with respect to a suggested amendment to The Solicitors Act providing for a penalty for breach of its provisions and a communication received from Mr. H. A. Aylen, K.C. with respect to certain amendments made to the Barristers Society Act of New Brunswick and to report thereon to the next meeting of the Committee.

The Committee has received and dealt with a number of complaints as to unauthorized practice.

THE REPORT WAS ADOPTED.

On motion Mr. J. R. Marshall was appointed a member of the Unauthorized Practice Committee.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Re Government Grant.

The letter from the Attorney-General's Department requesting the names of the County Libraries entitled to share in the usual grant from the Ontario Government was further considered and on motion it was decided to instruct the Department to distribute the grant among the 41 County Libraries as in 1936.

Estimates—1937-1938.

The Chairman advised that as in former years and subject to the approval of the Committee he had submitted estimates for 1937-1938 of $22,000 based on the actual expenditure for the previous year of $21,572.

After discussion the estimates were approved but with a recommendation that the grants to County Libraries be increased and the rules amended accordingly; and that a new committee be appointed to consider the matter, consisting of 9 Benchers, and that the present committee be dissolved.

Re Parry Sound, S. S. Marie and Cornwall Law Associations.

The Secretary reported that he had communicated with the Law Associations at Parry Sound, Sault Ste. Marie and Cornwall but that up to date their annual returns have not been filed as required by the Rules.

Re York Law Association.

Notice has been given that the York County Law Association intend to apply at the next meeting of the Committee for a grant of $500.00 in addition to the grant to which it is entitled under the rules.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE INCREASED GRANTS TO COUNTY LAW LIBRARIES.

On motion it was ordered that the appointment of the Special Committee be referred to the Treasurer and

Mr. Marshall. The following Special Committee herein was appointed—J. R. Marshall (Chairman) The Treasurer, and Messrs. Carson, Geary, Kerr, Middlebro, Shaver, Sims, Smith, G. L., and White.

RE WALLACE NESBITT TRUST.

Pursuant to the terms of the Wallace Nesbitt Trust accepted by Convocation on April 18th, 1929, the Committee nominated in the trust declaration (consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School) submits herewith for the consideration of Convocation its proposed regulations governing the annual Prize Essay Competition, as follows:

Regulations Governing Annual Prize Essay Competition.

1. Any student registered and in actual attendance in the second or third year of the law school course may submit an essay in the competition.

2. Every essay submitted shall be typewritten in triplicate, double spaced, on paper 11 inches by 8½ inches, on one side only of the paper and with a margin on the left-hand side of at least one inch and a half, and shall be delivered to the Secretary of the Law Society on or before the 1st day of April. The copies furnished shall thereupon become the property of the Law Society.

3. Every essay shall be signed by the author and shall be accompanied by a certificate signed by the author as follows:

> ''I hereby certify (1) that the essay entitled . . . submitted by me in the Prize Essay Competition of the Wallace Nesbitt Trust is my own work; (2) that it has not appeared in any printed publication; and (3) that it has not been submitted as an essay in any previous competition at Osgoode Hall or elsewhere or as a thesis for a degree in any University.''

4. An essay may be upon any legal subject selected by the author, provided that on or before the 1st day of February he gives notice in writing to the Secretary of

the Law Society of the subject upon which he intends to write and that the subject is approved by the Dean of the Law School.

5. It is suggested that normally an essay should contain from 3,000 to 5,000 words.

6. Due care must be taken in respect to grammar, spelling and punctuation in every essay submitted, and carelessness in any of these particulars may be made the ground for rejecting an essay submitted.

7. In determining the relative merits of the essays submitted regard shall be had to form and literary quality as well as to such qualities as originality, learning and research.

8. The examiners shall be the committee nominated in the trust declaration, namely, the Treasurer of the Law Society, the Chairman of the Legal Education Committee, and the Dean of the Law School, or such persons as they may appoint as examiners, and all questions of controversy that may arise shall be decided by the Committee or by the examiners appointed by them.

9. The examiners shall be the sole judges of the merits of the essays submitted, and they may in their absolute discretion award prizes for any of the essays, not exceeding three, which they shall consider to be of sufficient merit. The prizes shall be $150, $75 and $40 respectively, provided that if in the opinion of the examiners two or more essays are of equal merit, the amount of the prizes may be apportioned accordingly.

10. The examiners may reject all or any of the essays submitted as unworthy of a prize if in their opinion the essay or essays rejected is or are not of sufficient merit to justify the awarding of a prize. The examiners may also refuse to award the first and second prizes, or either one of them if in their opinion there are no essays submitted that in their opinion merit such prize or prizes.

Approved
20 Oct., 1937.

"R.S.R."
"J.S.D."
"J.D.F."

Convocation approved and adopted the regulations submitted.

RE PRINTING THE REVISED RULES.

The Treasurer referred to the direction heretofore given by Convocation that the Rules as revised be printed and to the revision of the Ontario Statutes now in preparation and to the usual practice of the Society to print the Law Society Act, the Barristers Act and the Solicitors Act with the Rules.

On motion it was ordered that the printing of the Revised Rules be deferred for the present.

RE BONDING OF SOLICITORS.

The Treasurer referred to a resolution proposed by a Toronto alderman calling for the bonding of solicitors and to the recent discussion of this subject in the Press.

Moved by Mr. Mason, seconded by Mr. Walsh, and carried that the Treasurer appoint a Special Committee to consider this matter and to recommend any necessary action thereon.

The Treasurer appointed the following Special Committee—Messrs. Bullen, Carson, Denison, Middlebro, McCarthy, McCrea, Roebuck and Sinclair.

CORRESPONDENCE.

The Treasurer read a letter from Mr. Kirkpatrick-Crockett of Victoria, B.C., offering to the Society a crayon enlargement of a photograph of the late Sir Aemilius Irving, K.C.

Ordered that Mr. Kirkpatrick-Crockett be informed that Convocation accepts with pleasure his offer of this portrait.

The Treasurer read a letter from Mr. Marshall enclosing as an historical record a menu of a dinner by the Benchers on December 7, 1889, to the then Treasurer.

Ordered that the letter be received and filed.

The Treasurer read a letter from Mr. A. A. Moffatt, K.C., Secretary-Treasurer of the Conference of Governing Bodies of the Legal Profession in Canada including the following resolution adopted at the Annual Meeting of the Conference—

> "That this Meeting express its thanks to the Treasurer and Benchers of The Law Society of Upper Canada for the very excellent arrangements made for the holding of the Meeting at Osgoode Hall and for the invitation extended to the members present to the luncheon to be given to-day."

The Treasurer read a letter from D. A. Robinson, Barrister of Hamilton, with respect to advising the Provincial Secretary of disbarments.

The letter was referred to the Discipline Committee for consideration and report.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,
Treasurer.

MINUTES OF CONVOCATION.

THURSDAY, 18TH NOVEMBER, 1937.

PRESENT—Sir William Mulock, The Hon. Hugh T. Kelly, and Messrs. Aylen, Carson, Conant, Denison, Dunbar, Fuller, Geary, Hays, Hellmuth, Kerr, King, Marshall, Middlebro, McCarthy, Nickle, Roebuck, Seymour, Shaver, Sims, Sinclair, Sweet, Urquhart, Walsh, White, and Young.

In the absence of the Treasurer, Mr. W. S. Middlebro, K.C., was appointed Chairman.

The Minutes of the meeting of Convocation of October 21st, 1937, were read and confirmed.

Convocation extended a welcome to the Honourable Hugh T. Kelly, a Bencher of the Society under the Law Society Act, Section 5(f).

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES.	DATE.
1. James Joseph Burke	4th October, 1937.
2. Ernest Bradley Griffith	15th October, 1937.
3. Warren Francis Lynch	15th October, 1937.
4. John Stuart McKinnon	22nd October, 1937.
5. Aloysius Neville	4th October, 1937.
6. Rickson Andrew Outhet	7th October, 1937.
7. William Guerino E. Sasso	1st October, 1937.
8. Margaret Elizabeth Wallis	20th October, 1937.
9. Ashton Walter Winter	7th October, 1937.

SPECIAL PETITIONS.

Herbert Lance Fruitman asks that his name on the Rolls and records of the Society be changed from Herbert Fruitman as at present, to the above, his full name.

The Committee recommend that the petition be granted.

Theodore Pullan Metrick asks that his name on the Rolls and records of the Society be changed from Theodore Metrick as at present, to the above, his full name.

The Committee recommend that the petition be granted.

CERTIFICATE OF FITNESS—Rhodes Scholar.

Harold Sampson Day was granted a Certificate of Fitness under Rule 135.

RE CASE BOOKS—Law School.

The Chairman read a memorandum prepared by himself, and a letter from the Dean.

The memorandum and letter were referred to a sub-committee to be named by the Chairman, the sub-committee to consider the matter and report back to the Committee.

RE ADMISSION REQUIREMENTS.

Letter from Mr. Redmond Quain, K.C.

Letter from Southwestern Ontario Bar Council.

The Secretary was instructed to write Mr. Quain thanking him for bringing this information to the attention of the Committee and informing him that the matter is before the Committee and will be further considered in due course.

The letter from Southwestern Ontario Bar Council was referred to the sub-committee named in connection with case books.

RE BOOK-KEEPING LECTURES.

Draft legal accounting forms for use in the lectures are submitted for consideration.

The Committee recommend that the forms as submitted be approved and adopted for the purpose of instruction to students.

THE REPORT WAS ADOPTED.

Mr. Denison reported briefly on an interview with a deputation of students on law school matters.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar:

1. Louis Hermant.
2. Arthur Samuel Pettapiece.
3. Gordon Rutherford Barron.
4. Alexander Forbes, Jr. (with Honours).
5. Herbert Lance Fruitman (with Honours).
6. Douglas Archie Theodore Haines.
7. Clarence Elmer Choate.
8. Charles Walter Donaldson.
9. Alexander Daniel Dyment.
10. Stanley Elmer Fennell.
11. Arthur Charles Franklin.
12. Elliott Lloyd Marrus.
13. Theodore Pullan Metrick.
14. Robert Arthur Pringle.
15. Harry Lawrence Romberg.
16. Marie Lorraine Copeland.
17. Manuel Wineberg.
18. Lolo Marion Boehmer.
19. James Edgar Watson.
20. Johnson George Feilde Butler.
21. Irving Freeman.
22. John Webster Monahan.
23. Arthur Freeman Treleaven.
24. Daniel Joseph Mascioli.
25. William Tandy McCallum (with Honours).
26. Douglas Andrew McConachie.
27. John Steele Wright.
28. Gordon Thomas McMichael.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Geary presented the report.

MONTHLY STATEMENT, October, 1937.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

RE JOHN PRENDERGAST O'REILLY.

Mr. McCarthy presented the report of the Discipline Committee herein.

Mr. McCarthy read a letter dated November 10th, 1937, from the Solicitor to the Chairman, with enclosure, and also a letter dated November, 1937, from Monsignor Joseph W. Englert.

The Solicitor appeared with his counsel, Mr. J. J. Sullivan and both addressed Convocation.

Mr. McCarthy moved the adoption of the report.

Moved in amendment by Mr. Marshall, seconded by Mr. King, that the report of the Discipline Committee be amended by substituting for the punishment recommended a reprimand and that the report as amended be adopted.

The amendment carried and the report as amended was adopted.

The Solicitor appeared before Convocation and was reprimanded by the Chairman.

RE SOLICITOR.

Mr. McCarthy presented the report of the Discipline Committee herein.

See Ontario Weekly Notes, No. 39, 26th November, 1937.

RE HAROLD STANLEY CHAPLAN.

Mr. McCarthy presented the report of the Discipline Committee herein.

The Solicitor appeared.

On motion of Mr. McCarthy the report was adopted.

The Solicitor appeared before Convocation and was reprimanded by the Chairman.

Re Investigations by Auditor.

Mr. McCarthy presented the report of the Discipline Committee on those cases in which the Committee had instructed the Society's auditor to make an investigation pursuant to the Rules Respecting Accounts and the action taken therein.

THE REPORT WAS RECEIVED.

Re Solicitors Failing to Reply.

Mr. McCarthy presented the report of the Discipline Committee herein.

The Committee reports to Convocation a condition of affairs which undoubtedly is all too frequent where Solicitors ignore the communications to them where complaints have been laid in regard to their honour and integrity.

In going over a number of complaints lodged in the past few months, the Committee observe that in many cases Solicitors ignore the letters from the Secretary, and in one case recently five letters were written to a Solicitor which have remained unanswered, and the Committee would like to obtain instructions from Convocation as to what steps should be taken in circumstances of this kind and whether the action of a Solicitor in ignoring the letters from the Secretary could be regarded as conduct unbecoming a Solicitor where complaints have been laid against him which involve his honour and integrity.

The report was received.

Convocation recommended to the Discipline Committee that where a Solicitor fails to reply to letters with respect to complaints the Solicitor be notified that unless an explanation is submitted forthwith, an investigation of his books and accounts will be made under the Rules Respecting Accounts, or a formal complaint for investigation will be laid.

Disbarment.

The Secretary placed before Convocation the following Order which in compliance with Rule 79 is entered on the Minutes of Convocation:

Re Thomas Abner Melville Hulse—Order Striking off the Rolls.

SPECIAL COMMITTEE RE SURROGATE COURTS.

Mr. Walsh reported briefly with reference to appeals under the Division Courts Act and reported that the Special Committee recommend that Section 123 of The Division Courts Act be repealed and the following section substituted therefor:

123. The costs taxable of and incidental to an appeal shall be such costs not exceeding $50 and actual disbursements as may be fixed by the court hearing the appeal or at its direction the Taxing Officer.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE.

In the absence of the Chairman, Mr. Marshall presented the report.

The Committee received the report of Mr. L. E. Blackwell on various matters referred to him and recommended that further action be taken in certain cases to be reported to Convocation at a later date.

The Committee considered certain other matters of unauthorized practice and recommend that in some cases further action be taken.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE INCREASED GRANTS TO COUNTY LAW LIBRARIES.

The Secretary presented the progress report of the Special Committee herein.

After discussion of the matters referred to the Committee by Convocation, the Committee requested Mr. Shaver to obtain such further information as is available and to report back to the Committee.

THE REPORT WAS RECEIVED.

SPECIAL COMMITTEE RE CANADIAN LAW LIBRARY, LONDON, ENGLAND.

Mr. Young presented the report of the Special Committee re the Canadian Law Library in London, England.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

YORK LAW ASSOCIATION.

A deputation from the York County Law Association requested a special grant in addition to the maximum grant to which they are entitled under Rule 61(a) of $500.00 and upon the recommendation of the Chief Librarian a special grant of $500.00 was recommended to be made, to be paid forthwith upon approval of this report by Convocation.

GOVERNMENT GRANT.

The Chairman reported that the list of Associations to be returned to the Government had been delayed upon receipt of correspondence from Parry Sound Law Association and Northumberland and Durham Law Association. In view of the suggestion of the Secretary of the Parry Sound Law Association that they had practically discontinued, pending some other arrangement, it was decided not to include Parry Sound in the list of associations to share in the Government grant, but that Northumberland and Durham Association be included, making a total of 41 associations entitled to share in the grant of $2,000.00 made by the Government to be divided among county law associations.

PARRY SOUND LAW ASSOCIATION.

A letter from Mr. Powell, Secretary of this Association was read and the Chairman was instructed to have a letter written calling their attention to Rule 58(3)(a) under which the trustees of the local association shall hold the books in trust in case of the dissolution or winding up of the Association, or the disposal of its property, to satisfy and repay to the Law Society all sums advanced by the Society to the Association, and to obtain from them definite advice as to their attitude. There are 2 firms with only 3 or 4 lawyers directly interested.

INCREASED GOVERNMENT GRANT.

After discussion the Committee recommends to Convocation that an application be made to the Ontario Government for an increased grant to the County law associations owing to the extensive use of the County libraries by the Judges and the courts in the administration of justice, and that a sub-committee be appointed by the Treasurer and the Chairman of this Committee to place this matter before the Government.

LIBRARIAN'S REPORT ON INSPECTION.

Mr. Daley submitted his report on inspection of the County Libraries and a copy of the report was directed to be sent to each member of the County Libraries Committee, and the matter was left over until the next meeting of the Committee for consideration.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE INCREASED GOVERNMENT GRANT.

The Treasurer and the Chairman of the County Libraries Committee appointed the following Special Committee herein: The Treasurer, Mr. J. R. Marshall, and Messrs. Fuller, Kerr, McRuer, Sims, and Urquhart.

The Chairman referred to the approaching ninety-fifth birthday, on November 24th of MR. J. B. WALKEM, K.C., of Kingston, sometime a Bencher of the Society.

The Secretary was instructed to convey to Mr. Walkem the congratulations and good wishes of the Benchers and to send flowers.

CORRESPONDENCE.

The Chairman read a letter from Mr. A. A. Moffat, K.C., with reference to an "Empire Law Directory", Glasgow, Scotland.

Ordered that no action be taken.

The Secretary reported the receipt from Mr. Kirkpatrick-Crockett of Victoria, B.C., of a crayon enlargement of a photograph of the late SIR AEMILIUS IRVING, K.C.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,
Treasurer.

MEETING OF CONVOCATION.

Thursday, 20th January, 1938.

PRESENT: The Treasurer, and Messrs. Aylen, Bullen, Carson, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Kerr, King, Lucas, Marshall, Middlebro, McCarthy, McRuer, Seymour, Shaver, Sims, Smith, G. L., Smith, H. D., Sweet, Urquhart, and Young.

The Minutes of the meeting of November 18th, 1937, were read and confirmed.

MOVED by Mr. Dunbar, seconded by Mr. H. D. Smith, and unanimously CARRIED that Convocation record in the Minutes the expression of sincere regret of the Benchers on the death of the *Honourable Mr. Justice A. Courtney Kingstone,* sometime a Bencher of this Society.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

ADMISSION OF STUDENTS.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application—

I. GRADUATE	DATE
1. Hugh Thomas Cunningham	25th August, 1937.

Approved.

SPECIAL PETITIONS.

JOSEPH MORTIMER GOULD asks that his name on the Rolls and records of the Society be changed from Joseph Mortimer Gold, as at present, to the above. A deed poll dated 3rd January, 1938, was duly entered on 12th January, 1938.

The Committee recommend that the petition be granted.

JOHN JULIUS BUSSIN asks that his name on the Rolls and records of the Society be changed from Julius Bussin, as at present, to the above, his full name.

The Committee recommend that the petition be granted.

CERTIFICATE OF FITNESS—SPECIAL.

FRANK XAVIER BURROWS, who was Called to the Bar of Ontario on the 24th November, 1921, has applied to be granted a Certificate of Fitness under Section 4(2) of the Solicitors Act. He has filed the required papers and paid the necessary fees ($61.00).

Approved.

EXAMINATION RESULTS—CHRISTMAS 1937.

First, Second, and Third Years.

The record of the returns of the examiners of the Christmas examinations for the First, Second and Third years, is submitted herewith showing those who have passed and those who have failed.

Approved.

RE CASE-BOOKS—LAW SCHOOL.

RE ADMISSION REQUIREMENTS. — Letter from South-western Ontario Bar Council.

Report of Sub-committee.

The Chairman reported briefly on the discussions of the Sub-committee.

The Committee recommends that the Sub-committee be continued to make further enquiries and to report back.

RE AMENDMENT OF RULE 118.

Mr. Shaver's motion stands.

Mr. Shaver spoke to his Motion and presented a written memorandum. At his request the Committee recommends that the matter stand for further consideration and report.

LESLIE A. ALLEN.

This student, having discontinued his law course was granted a refund of his admission fees. The matter is before this Committee for consideration of the removal of his name from the Common Roll.

The Committee recommends that the student's name be removed from the Common Roll.

RE ADMISSION REQUIREMENTS.

Letter from the Carleton Law Association enclosing copy of a resolution of this Association is before the Committee.

The Committee recommend that the matter be referred to Convocation with the expressed opinion that the restricting of admissions to the Law Society is not a matter for the consideration of the Committee.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

Mr. G. L. Smith.

MONTHLY STATEMENTS—November and December, 1937.

The usual monthly statements were presented.

RE TRAFFIC SIGNAL—Queen and York Streets.

The Committee reports some correspondence and interviews with the Police Department have taken place, with reference to the restoration of signal lights at the above intersection, without result. The matter is now before Convocation for such action as is deemed expedient.

THE REPORT WAS ADOPTED.

MOVED by Mr. McCarthy, seconded by Mr. McRuer, and unanimously CARRIED, that Convocation forward to the Board of Commissioners of Police and to the Traffic Conference a request for the restoration of traffic signal lights at the junction of Queen and York Streets.

BUILDING COMMITTEE REPORT.

Mr. G. L. Smith.

1. The Committee reports that the following amounts have been expended to date on the new building—

Contractor—Redfern Construction Co.	$110,434.13
Architect's Fees	9,000.00
Clerk of the Works	2,034.75
	$121,468.88

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

Re Ralph Vrooman Mark.

Mr. McCarthy presented the report of the Discipline Committee herein.

Mr. McCarthy read a letter from the Solicitor dated January 17th, 1938, and an enclosed affidavit sworn on the 18th January, 1938.

The Solicitor did not appear, nor was he represented by counsel.

On motion of Mr. McCarthy the report was referred back to the Discipline Committee for further consideration and report.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar—

1. Joseph Mortimer Gould.
2. Kenneth Young Dick.
3. John Julius Bussin.
4. Lloyd James Tomlinson.
5. Elmer Joseph Isaac.

DISCIPLINE COMMITTEE REPORTS (Continued).

Re John McLaren Reycraft.

Mr. McCarthy presented the further report of the Discipline Committee herein.

Mr. McCarthy reported that the Solicitor had filed an undertaking that he will not resume the practice of law or engage in any business which involves the handling of trust funds and that his brother, M. F. Reycraft, Barrister, and his father, The Reverend J. F. Reycraft, had filed undertakings on behalf of the Solicitor.

THE REPORT WAS ADOPTED.

Re Anase Seguin.

Mr. McCarthy presented the report of the Discipline Committee herein.

Mr. McCarthy moved the adoption of the report.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Anase Seguin, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Anase Seguin guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Anase Seguin be suspended from practice as a Barrister and Solicitor for the period of two months from the 20th day of January, 1938.

Re John Joseph Sullivan.

Mr. McCarthy presented the report of the Discipline Committee herein.

Mr. McCarthy moved the adoption of the report.

The Solicitor appeared with his counsel, Mr. A. M. Lewis, K.C., who addressed Convocation.

The report of the Discipline Committee in the matter of John Joseph Sullivan, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said John Joseph Sullivan guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said John Joseph Sullivan be suspended from practice as a Barrister and Solicitor for the period of Six Months from the 20th day of January, 1938.

Re Thomas Charlebois.

Mr. McCarthy presented the report of the Discipline Committee herein.

Mr. McCarthy moved the adoption of the report.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Thomas Charlebois, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Thomas Charlebois guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Thomas Charlebois be suspended from practice as a Barrister and Solicitor for the period of Six Months from the 20th day of January, 1938.

AMENDMENT OF RULES.

ORDERED that Rule 23 be suspended, and

That Rule 80 be amended by adding the following subsection—

> Rule 80(1). The Secretary shall on receipt of an Order of the said Court ordering a member of the Society to be struck off the Roll of Barristers and Solicitors, notify by letter the Provincial Secretary and the Attorney-General of Ontario that the said Order has been made and forward therewith a copy of the said Order.

REPORTING COMMITTEE REPORT.

Mr. Urquhart.

The Committee recommend certain changes in the set-up and type of the Ontario Reports and the Ontario Weekly Notes and a three year extension of the printing contract with The Carswell Company Limited.

The request of G. H. Phillimore for permission to use the head-notes of the Ontario Weekly Notes and Ontario Reports, at his discretion, in his preparation of the Quebec Annual Law Digest 1937, was refused.

The question of the Editors publishing in the Ontario Reports an editorial note explaining the significance of each case, similar to those appearing now in the All England Reports, was discussed. In view of the great difference of opinion among the Committee, it was decided to defer this until the March meeting for further consideration.

The Chairman spoke of certain suggestions of the Judges as to the publication of the reports. These were discussed together with other suggestions as to the contents of the Ontario Weekly Notes and the Ontario Reports.

The case of *McLean* v. *McCannell,* decided in May, 1936, by the Court of Appeal and later upheld in the Supreme Court of Canada, was ordered to be published in the January number of the Ontario Reports, together with a note as to the Supreme Court reference.

The Committee expressed its opinions as to the contents and form of the cases to be published in the Ontario Weekly Notes and the consensus of opinion seemed to be that more cases of insufficient importance to be published in the Ontario Reports, should be published in the Ontario Weekly Notes, and that the note of the cases which are subsequently to be published in the Ontario Reports should be curtailed, consistent, of course, with the proper reporting of the case. The Editors were instructed to proceed along these lines and the matter was adjourned until the March meeting to see how this plan would work out.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Kerr presented the report.

RE W. MURDOCH (Notary Public) Ottawa.

This was a case of the name of W. Murdoch appearing on the letter-head of R. V. Sinclair, K.C., Ottawa, and a complaint having been received that Mr. Murdoch's name appearing on said letter-head might lead the public to believe he was a practising Solicitor. On the matter being brought to the attention of Mr. Sinclair he advised the Committee that Mr. Murdoch's name had been removed from his letter-head and would not appear thereon in the future.

RE CHARLES BLACK, Niagara Falls.

Mr. Black enquired as to the use on his letter-head of the following words "Formerly Solicitor before the Supreme Courts of Scotland." The Committee is of the opinion that the letter-head should not contain any reference to his having been a solicitor as when that reference is included the public might come to the conclusion that they are obtaining the services of a solicitor, and recommend that Mr. Black be so notified.

RE DISBARMENTS.

The Treasurer has brought to the attention of the Committee the fact that some disbarred Barristers continue the use of the initials K.C. following their name and suggests that consideration be given to the matter.

The Committee recommend that in future the Attorney-General of Ontario be notified of disbarments and that Rule 80 be further amended accordingly.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

ANNUAL GRANTS.

The following County Law Associations having filed Annual Returns for the year 1937 in accordance with Rule 62 are entitled to the Annual Grants as set out, viz.:—

1.	Brant	$660.00
2.	Bruce	177.33
3.	Carleton ($1,620)	1,500.00
4.	Dufferin	304.00
5.	Elgin	455.00
6.	Frontenac	640.00
7.	Grey	285.33
8.	Haldimand	332.70
9.	Hamilton ($1,675)	1,500.00
10.	Huron	351.17
11.	Kenora	203.34
12.	Kent	800.00
13.	Lambton	605.11
14.	Leeds and Grenville	486.67

15.	Lindsay ($466.67 less $50)	416.67
16.	Middlesex ($1,531, $1,500 less $50)	1,450.00
17.	Nipissing	170.00
18.	Norfolk	310.00
19.	Ontario	450.00
20.	Oxford	376.67
21.	Perth ($578 less $50)	528.00
22.	Peterboro	540.27
23.	Prescott and Russell ($126.67 less $25)	101.67
24.	Rainy River	210.00
25.	Simcoe	392.93
26.	Temiskaming	283.33
27.	Thunder Bay	236.33
28.	Welland	835.00
29.	Wellington	540.00
30.	York ($2,383)	1,500.00
		$16,641.52

and the Committee therefore reports same to the Finance Committee and these Associations having complied in all other respects with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends the payment of the said annual grants above mentioned.

PARRY SOUND LAW ASSOCIATION.

This Association has now filed returns for the years 1935, 1936 and 1937. The membership fees for the year 1937 are reported as amounting to $25.00 and the Committee recommends that under Rule 63(a) the annual grant for 1937 amounting to $50 be made.

LAMBTON LAW ASSOCIATION.

An application has been received from the Lambton Law Association for an increase in the annual grant of $250.00 each year, and that the loan of $450.00 made by the Society to this Association in November, 1936, be cancelled and that the said loan be treated as a Special grant to the Association.

The Committee recommends that the application for the yearly increase in the annual grant be postponed until the report of the Special Committee regarding grants to County Law Associations has been made. The Committee, however, recommends that the application for cancellation of the loan of $450.00 be granted and the same be made a special grant to the Association.

SPECIAL GRANTS.

Applications were received from the Rainy River Law Association, and the Dufferin Law Association for special grants each of $300.00, and from the Huron Law Association for an increase in the annual grant.

These matters were referred to the next meeting of the County Libraries Committee for consideration.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE INCREASED GOVERNMENT GRANT TO COUNTY LIBRARIES.

The Treasurer reported briefly on the action of the Committee and on an interview with the Attorney-General and read a letter dated January 4th, 1938, from the Attorney-General.

The report was received and it was ordered that this matter be placed on the agenda for September, 1938, Convocation.

CORRESPONDENCE.

The Treasurer referred to correspondence between Mr. Gurston Allen, Barrister of Toronto, and the Chairman of the Legal Education Committee in which Mr. Allen offers to give an annual prize of $25.00 for the next five years to the student at the Law School who obtains the highest mark in the subject of "Conflict of Laws."

Moved by Mr. McCarthy, seconded by Mr. Young, and unanimously carried that Convocation gratefully accept Mr. Allen's offer and that the Secretary convey to him the thanks of Convocation.

The Treasurer read a letter from Mr. W. N. Ponton, K.C., expressing regret at his inability to be present and joining his colleagues in birthday greetings to Sir William Mulock, P.C., K.C.M.G.

Moved by Mr. Dunbar, seconded by Mr. Geary, and unanimously carried that the Secretary convey to Sir William Mulock the congratulations and best wishes of the Benchers on his having attained his ninety-fourth birthday.

The Treasurer read the petition of F. H. Cleaver, Jr., to be reinstated upon the Rolls of the Society.

Moved by Mr. McRuer, seconded by Mr. Bullen, and carried that the petition be referred to the Discipline Committee for consideration and report.

The Treasurer read a letter with enclosure from the Secretary of the Carleton Law Association with reference to the Law Society increasing fees sufficiently to maintain proper libraries throughout the Province.

Moved by Mr. Dunbar, seconded by Mr. Aylen, and carried that the matter be referred to the Special Committee re Increased Grants to County Libraries.

The Treasurer read a letter with enclosure from the Secretary of the Carleton Law Association with reference to restricting the numbers of the profession and of admissions to the Law School.

Moved by Mr. H. D. Smith, seconded by Mr. Dunbar, and carried that the letter be received and filed.

The Treasurer read a letter from the Secretary-Treasurer of the Conference of Governing Bodies of the Legal Profession in Canada enclosing copy of Minutes of the Annual Meeting of August 17th, 1937, and copy of the Report of Committee on Public Relations.

ORDERED that the letter be received and that consideration be deferred.

The Treasurer read a letter from His Honour the Lieutenant Governor of Ontario thanking the Benchers for the luncheon given in his honour.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Mr. J. B. Walkem, K.C., of Kingston, sometime a Bencher of the Society, thanking the Benchers for their good wishes and flowers on the occasion of his ninety-fifth birthday.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH FEBRUARY, 1938.

PRESENT—The Treasurer, and Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Hon. W. A. Gordon, Hellmuth, Kerr, Marshall, Mason, Middlebro, McRuer, Ponton, Seymour, Sims, Sinclair, Sweet, Walsh, White, and Young.

The Minutes of the meeting of 20th January, 1938, were read and confirmed.

ELECTION OF BENCHER.

Mr. Arthur Graeme Slaght, K.C. was elected a Bencher to fill the vacancy caused by the appointment of Mr. G. A. Urquhart as a Judge to the Supreme Court of Ontario.

COMMITTEES.

ON MOTION the following Benchers were appointed members of committees in place of Mr. Urquhart, now appointed to the Bench—

Legal Education	Mr. A. G. Davis
Reporting	Mr. A. G. Slaght
Discipline	"
Unauthorized Practice	"
County Libraries	Mr. C. F. H. Carson

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENT.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application.

GRADUATE	DATE
1. Kenneth Duncan Ross	29th January, 1938.

Approved.

RE BOOKKEEPING LECTURES.

A memorandum from Mr. Glassco is before the Committee suggesting consideration of making attendance at the lectures compulsory, and of holding an examination.

The Committee recommends that in future attendance at these lectures be compulsory and that consideration of an examination in this subject be deferred to the April meeting of the Committee.

Your Committee further recommends that the Dean be asked to report on the present method of keeping attendance in all subjects, and to report in accordance with Rule 108.

RE GURSTON ALLEN.

Convocation accepted Mr. Allen's offer to give an annual prize of $25.00 for the next five years to the student at the Law School who obtains the highest mark in the subject of "Conflict of Laws".

The Committee recommends that this prize be known as "The Gurston Allen Prize" to be awarded to the student who obtains the highest mark in the subject of Conflict of Laws.

RE EXAMINATION OF MATRICULANT STUDENTS—RULE 86D.

The examination of second and third year students of this class was referred to the Chairman and the Dean with power to act. The books chosen for examination were Marriott's "English Political Institutions" and Kennedy's "Constitution of Canada". The students were notified, have paid their examination fees and the books have been sent to them.

Approved.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

The Secretary presented the report.

MONTHLY STATEMENT, January 1938.

The usual monthly statement was presented.

CHRISTOPHER ROBINSON MEMORIAL TRUST FUND.

Under date of December 23, 1937, the Committee received a letter from the Toronto General Trusts Corporation pointing out that this agreement should be renewed for a further ten-year period from December 14, 1937, in the amount of $2,804.42 and offering to allow interest at the rate of 3½ per cent. The Committee replied to the Trusts Corporation that it would be willing to renew the agreement for a further period if the Corporation was willing to pay an annual sum of $100.00 on the principal. The Trusts Corporation has agreed to this proposal and your Committee recommends that it be accepted.

On motion of Mr. Young the report was adopted.

DISCIPLINE COMMITTEE REPORTS.

Re Ralph Vrooman Mark.

Mr. Dunbar presented a further report of the Discipline Committee herein.

Mr. Dunbar moved the adoption of the report and of the report of the Committee presented to Convocation on the 20th January, 1938.

The Solicitor did not appear nor was he represented by counsel.

The reports of the Discipline Committee in the matter of Ralph Vrooman Mark, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, were adopted.

It was resolved that upon the facts ascertained and appearing by the said Reports and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Ralph Vrooman Mark guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Ralph Vrooman Mark be disbarred.

That the said Ralph Vrooman Mark is unworthy to practise as a Solicitor.

Re William Frederick McMahon.

Mr. Dunbar presented the report of the Discipline Committee herein.

Mr. Dunbar moved the adoption of the report.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of William Frederick McMahon, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said William Frederick McMahon guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said William Frederick McMahon be disbarred.

That the said William Frederick McMahon is unworthy to practise as a Solicitor.

RE KENNETH ARNOLD MAHAFFY.

Mr. Dunbar presented the report of the Discipline Committee herein.

Mr. Dunbar moved the adoption of the report.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Kenneth Arnold Mahaffy, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Kenneth Arnold Mahaffy guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Kenneth Arnold Mahaffy be suspended from practice as a Barrister and Solicitor for the period of Six Months from the 17th day of February, 1938.

RE SHERBURNE TUPPER BIGELOW.

Mr. Dunbar presented the report of the Discipline Committee herein.

Mr. Dunbar moved the adoption of the report.

The Solicitor appeared but did not desire to address Convocation.

The report was adopted.

The Solicitor appeared before Convocation and was reprimanded by the Treasurer.

ORDERS.

The Secretary placed before Convocation the following Orders which in compliance with Rule 79 are entered on the Minutes of Convocation—

Re Anase Seguin—Order suspending from practice for two months from 20th January, 1938.

Re John Joseph Sullivan—Order suspending from practice for six months from 20th January, 1938.

Re Thomas Charlebois—Order suspending from practice for six months from 20th January, 1938.

RE JOHN MCLAREN REYCRAFT.

The Secretary reported that the name of John McLaren Reycraft had been removed from the Rolls of the Law Society on his own application and that the Registrar of the Supreme Court of Ontario had been so notified.

REPORTING COMMITTEE REPORT.

The Treasurer presented the report of the Reporting Committee.

ELECTION OF CHAIRMAN.

The Honourable F. J. Hughes, K.C. was elected Chairman of your Committee.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

CHIEF LIBRARIAN'S REPORT.

The Chairman presented the annual report for 1937 of the Chief Librarian on the Great Library and the Phillips Stewart Library.

The Committee recommends that the report be referred to Convocation.

THE REPORT WAS ADOPTED.

CHIEF LIBRARIAN'S REPORT.

Mr. Young presented the report of the Chief Librarian.

The report was received.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

MR. MASON.

RE W. J. MCCALLUM.

Mr. Blackwell reported that W. J. McCallum, a disbarred solicitor, had been convicted of a breach of the Solicitors' Act. The Secretary was asked to take up with the Reporting Committee the matter of giving publicity to the conviction.

In connection with certain complaints of unauthorized practice the Committee deferred consideration pending further study of the lines along which the Committee might proceed.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations having filed Annual Returns for the year 1937 in accordance with rule 63(1) are entitled to the Annual Grants as set out, viz.:

1. Cochrane	$ 156.67
2. Essex $2,286.67 maximum	1,500.00
3. Lincoln ($800 less $100)	700.00
4. Sudbury (less $58.03 for flowers)	343.30
	$2,799.97

and the Committee therefore reports same to the Finance Committee and these Associations having complied in all other respects with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends the payment of the said Annual Grants above mentioned.

ANNUAL RETURNS FOR 1937.

The following County Law Associations have not as yet sent in Returns for 1937—

1. Hastings.
2. Lanark.
3. Northumberland (1934-37).
4. Renfrew.
5. Sault Ste. Marie (1936-1937).
6. Waterloo.

STORMONT LAW ASSOCIATION.

This Association has now completed its annual returns for the years 1936 and 1937. According to the financial statement the Association is entitled for the year 1936 to an annual grant of $263.33 and for the year 1937, $290.00—a total of $553.33.

The Committee therefore reports same to the Finance Committee and this Association having now complied in all other respects with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, and recommends that payment of the annual grants for the years 1936 and 1937 amounting to $553.33 be made.

RAINY RIVER LAW ASSOCIATION.

A letter dated January 10th from the Secretary of the Rainy River Law Association making application for a Special Grant of $300.00.

The Committee directed the Secretary to write the Association and ask what are the special needs of the Association in making application for a Special Grant.

DUFFERIN LAW ASSOCIATION.

A letter dated January 11th from His Honour Judge Robb, making application for a Special Grant of $300.00 to enable the Association to purchase a copy of Halsbury's Laws and the Canadian Abridgment.

The Committee recommend that the matter be laid over for further communication with the Association.

HURON LAW ASSOCIATION.

A letter dated January 13th from the Secretary of this Association making application for a Special Grant in addition to the regular Annual Grant.

The Committee recommend that the matter be laid over for further communication with the Association as to its needs.

GREY LAW ASSOCIATION.

A letter dated February 2nd from the Secretary of this Association stating that His Honour Judge Morley had taken up the matter of increased accommodation for the Library and it would be considered by the County Council at meeting at the April session.

BRANT LAW ASSOCIATION.

Letter dated February 7th from the Secretary in reference to the decrease in the amount of the Annual Grant arising from the rule limiting the annual grants to $20.00 per member.

The Committee recommend that the matter stand until the next meeting.

CARLETON LAW ASSOCIATION.

Letter dated February 11th from the Secretary in reference to the Incorporation of the Association—asking advice on the matter.

The Committee recommend that the matter be referred to the Chairman to take up with the Association.

THE REPORT WAS ADOPTED.

BUILDING COMMITTEE REPORT.

The Treasurer verbally reported on the amounts expended on the new addition to date and the amounts authorized for payment.

RE BENCHERS' LOCKERS.

Moved by Mr. Hellmuth, seconded by Mr. Sweet, and Carried that the Benchers' lockers be retained as at present in the Benchers' Library.

RE S.C.O. TARIFF OF DISBURSEMENTS.

The Treasurer reported on the action taken following the receipt of a letter from The Honourable Mr. Justice Middleton on behalf of the Judges of the Supreme Court with reference to this matter. As the letter intimated the matter was urgent and asked the opinion of the Benchers, a memorandum was prepared and submitted to a number of the Benchers who could be conveniently reached. A small deputation waited on the Judges and the Treasurer pointed out that the matter was one which primarily concerned litigants and not directly the profession and expressed the view that the proposed increase should not be made.

Moved by Mr. Walsh, seconded by Mr. White, that Convocation place itself on record as opposed to the proposed increase in the tariff of disbursements in the Supreme Court and that a committee composed of The Treasurer, Mr. Slaght, and Mr. Mason be appointed to take up the matter with the Attorney-General opposing the proposed increase.

Moved in amendment by Mr. McRuer, seconded by Mr. Denison that the Committee named in the Motion be instructed to use its discretion in dealing with the matter as in the judgment of the Committee will be in the public interest and that Convocation approve of the manner in which the Treasurer has dealt with the matter in the past.

THE AMENDMENT WAS CARRIED.

SPECIAL COMMITTEE RE BONDING OF SOLICITORS.

The Treasurer reported briefly on the progress made by the Committee and recommended that the matter stand for the present.

THE REPORT WAS RECEIVED.

CORRESPONDENCE.

The Treasurer read a letter from Sir William Mulock expressing his appreciation of the flowers and congratulations on the occasion of his ninety-fourth birthday.

Ordered that the letter be received and filed.

The Treasurer read a letter from the Secretary-Treasurer of the Conference of Governing Bodies of the Legal Profession in Canada, enclosing copy of Minutes of the Annual meeting of August 17th, 1937, and a copy of the Report of Committee on Public Relations.

Ordered that the matter be referred to the Committee on Unauthorized Practice.

The Treasurer read letters from the Secretaries of the Board of Commissioners of Police and of the Traffic Conference with reference to traffic signal lights at Queen and York Streets notifying the Society that no action would be taken.

Ordered that the letters be received and filed.

The Treasurer read a letter from Mr. M. A. Seymour, K.C. with reference to certificates for Notaries Public.

Moved by Mr. Seymour, seconded by Mr. Middlebro, and carried that the matter be referred to the Committee appointed with reference to the Supreme Court of Ontario Tariff of Disbursements.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,

Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH MARCH, 1938.

PRESENT—The Treasurer, and Messrs. Aylen, Carson, Denison, Dunbar, Fuller, Geary, Hays, King, Lucas, Marshall, Middlebro, Nickle, Seymour, Sims, Smith, G.L., Sweet, and Young.

The Minutes of the meeting of February 17th, 1938, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

CALL TO THE BAR AND CERTIFICATE OF FITNESS—SPECIAL.

ALAN BROWN SPRAGUE having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Nova Scotia has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

MONTHLY STATEMENT—February, 1938.

The usual monthly statement was presented.

ARREARS OF ANNUAL FEES, 1937-38.

A list of Solicitors who have not taken out their annual certificates for 1937-38 was submitted.

A list of Barristers who have not paid their Bar fee for 1937-38 was submitted.

A list was submitted of members who pay Bar fee only and stating their present occupations.

The Committee recommend that the list be referred for revision and further information to a sub-committee composed of Mr. Bullen, Mr. Sweet, and the Secretary.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE—ORDERS.

The Secretary placed before Convocation the following Orders which in compliance with Rule 79 are entered on the Minutes of Convocation—

RE RALPH VROOMAN MARK—Order striking off the Rolls.

RE WILLIAM FREDERICK MCMAHON—Order striking off the Rolls.

RE KENNETH ARNOLD MAHAFFY—Order suspending from practice for six months from 17th March, 1938.

REPORTING COMMITTEE REPORT.

In the absence of the Chairman, Mr. Sweet presented the report.

RE EDITORIAL NOTES.

The Committee further considered the question of the Editors publishing in the Ontario Reports an editorial note explaining the significance of each case similar to the notes appearing in the All England Reports.

The Committee recommend that the present practice be continued without change.

RE ONTARIO WEEKLY NOTES.

The Committee further considered the question of the content and form of cases to be published in the Ontario Weekly Notes.

The Committee recommends that this matter stand until the June meeting for further consideration.

RE W. J. MCCALLUM (disbarred 16th May, 1935).

The Committee on Unauthorized Practice referred to this Committee the question of publishing a report of the conviction of Mr. McCallum for a breach of the Solicitors Act.

The Committee recommend that the matter be reported in the Ontario Weekly Notes in the regular way as a reported case, with certain changes in the names of persons referred to in the Judgment.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE REPORT.

In the absence of the Chairman, The Treasurer presented the report.

The Committee has given consideration to a number of matters which have been ordered to stand pending further consideration of the report of Mr. Blackwell, the Committee's investigator.

The Committee refers to Convocation for consideration a letter from the Secretary-Treasurer of the Huron Law Association.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE.

MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations having filed Annual Returns for the year 1937 in accordance with Rule 63(1) are entitled to Annual Grants as set out, viz.—

Hastings	$546.67
Lanark	373.33
Waterloo	358.00

the Committee therefore reports same to the Finance Committee and these Associations having now complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends the payment of said annual grants above mentioned.

APPLICATIONS FOR SPECIAL GRANTS.

Grey Law Association, application for grant of $250.00 to purchase a set of the Western Weekly Reporter.

Rainy River Law Association, for a grant of $300.00 on ground stated in letter of 26th February, 1938.

Dufferin Law Association, for grant of $300.00 to purchase a copy of Halsbury and the Abridgment.

Huron Law Association, application for a special grant on grounds stated in letter of 2nd March from the Secretary.

Brant Law Association—Letter from the Secretary dated 7th February in reference to the decrease in the annual grant and applying for a Special grant of $200.00 to supplement the annual grant for the year 1937.

The Committee recommend that the above mentioned applications, and the Librarian's annual report re Inspection of County Libraries, stand over until the report from the Special Committee on grants to County Law Libraries is considered.

NORTHUMBERLAND AND DURHAM LAW ASSOCIATION.

This Association has filed incomplete returns for the year 1937 and the Secretary has been notified to complete the returns.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar—

1. Alan Brown Sprague (Special—Nova Scotia).

SPECIAL COMMITTEE RE S.C.O. TARIFF OF DISBURSEMENTS.

The Treasurer reported on an interview with the Attorney-General when he stated that no action would be taken in this matter during the present session of the Legislature and that if the matter were dealt with later it would be by Order in Council and the Committee would be notified before any action was taken.

SPECIAL COMMITTEE RE BONDING OF SOLICITORS.

The Treasurer reported briefly that there was no change in this matter, that no Bill was yet before the present session of the Legislature and the Committee had no notice of any proposed action.

MEMORIAL TO THE LATE W. A. BOYS, K.C.

The Treasurer appointed Messrs. Geary and Nickle a Special Committee to prepare a Memorial to the late W. A. Boys, K.C.

PRIVATE BILLS.

The Secretary reported the following Private Bills before the present session of the Legislature—

Bill No. 31—Re William Edwards MacDonald.

An Act to authorize the Law Society of Upper Canada to admit William Edwards MacDonald as a Barrister.

Bill No. 37—Re Alexander Cameron Lewis.

An Act to authorize the Law Society of Upper Canada to admit Alexander Cameron Lewis as a Barrister and Solicitor.

Moved by Mr. Sims, seconded by Mr. King, and carried that Convocation records its opposition to the passing of these Bills and that a Special Committee composed of Messrs. McRuer, Bullen, and White be appointed to wait upon the Private Bills Committee and to make representations on behalf of the Society opposing the Bills.

CORRESPONDENCE.

The Treasurer read a letter from Mr. R. C. Hays, K.C., Secretary-Treasurer of the Huron Law Association with reference to matters of practice in the County of Huron and adjoining counties.

Ordered that the correspondence be referred to the Discipline Committee for consideration.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,

Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST APRIL, 1938.

PRESENT—The Treasurer, Sir William Mulock, Hon. H. T. Kelly, and Messrs. Carson, Hon. G. D. Conant, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Kerr, King, Mason, Middlebro, McCarthy, McRuer, Rodd, Seymour, Shaver, Sims, Sinclair, Slaght, Smith, G. L., Sweet, and Young.

The minutes of the meeting of March 17th, 1938, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

CALL TO THE BAR AND CERTIFICATES OF FITNESS.

The following candidates whose papers and services are correct and who have passed the required examinations and paid the necessary fees, are entitled to be Called to the Bar and to be granted Certificates of Fitness, having completed their services as articled clerks—

1. Louis William Spiegel.
2. Vernon Howard Little (Certificate of Fitness only).

Approved.

CALL TO THE BAR—SPECIAL.

JOHN NORMAN LINDSAY having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of Saskatchewan has applied to be Called to the Bar of Ontario under Rule 133(d). He was granted a Certificate of Fitness on 15th October, 1936.

Approved.

RE CASE BOOKS.

The Committee approves and submits to Convocation the following report of the Sub-Committee herein—

1. Pursuant to the following resolution—

> "The question of Case Books was referred for consideration and report to a Sub-Committee to be named by the Chairman,"

the Chairman nominated The Treasurer and Messrs. Carson, Sims, and White to be members of the Sub-Committee.

The first meeting was held on January 6th, 1938, at which The Treasurer and Mr. Sims (together with the Chairman) were present. Meetings were subsequently held on January 13th, April 2nd and April 20th, 1938, and the Dean was also consulted and submitted specifications for tenders for a new case book on Conflict of Laws.

Your Sub-Committee has made numerous enquiries into the subject generally but has come to the conclusion that before any action is taken upon the general topic it would be well to ascertain what is the lowest price at which a case book can be mimeographed and furnished to the students and accordingly your Sub-Committee recommend that it be authorized to call for tenders for a case book on Conflict of Laws upon the specifications prepared by the Dean (a copy of which specifications are submitted herewith), and therefore your Sub-Committee ask that they be authorized to call for tenders as suggested either by advertisement or circular with power to accept or reject the same or to defer a decision thereon until the matter can be again brought before your Committee.

Your Sub-Committee also asks that it be allowed to continue its enquiry into the subject of the use of case books and other prepared material in general and to report later to your Committee upon any other features of the subject into which it may make enquiries.

RE AMENDMENT OF RULE 118.

Convocation referred to this Committee the following Motion by Mr. Shaver—

> "That Rule 118 as amended be further amended to read as follows:—
>
> 118. A student who has failed to pass the examinations of any year may repeat such year once and for such purpose may again attend the lectures and submit himself for examination in the subjects of that year."

The Committee recommends that no action be taken on the Motion.

RE BOOK-KEEPING LECTURES.

Consideration of an examination in this subject was deferred to this meeting. A memorandum from the Dean is submitted.

The Committee recommends that an examination be held in this subject for the year 1938-39, the Dean to arrange the details and a convenient time for holding the examination in accordance with his recommendation.

SPECIAL PETITIONS.

The Committee considered several special petitions by students asking for special relief and made recommendations in connection therewith.

RE DEBATES—Osgoode Legal and Literary Society.

The Chairman of the Debating Committee asks consideration of the Society granting Medals to the winners of the class debates.

The Committee approves of the principle of awarding medals to the winners of class debates and recommends that the matter be referred to the Chairman and Mr. McRuer to confer with the Debating Committee and report back.

THE REPORT WAS ADOPTED.

NOTICE OF MOTION.

Amendment of Rules 52 and 53.

Mr. Denison gave notice that at the next meeting of Convocation he would move that the rules be amended as follows:

Rule 52—omit the words "and the Phillips Stewart Library" and insert the word "and" before "the Consultation Rooms" so that the rule will now read—

> 52. The Library Committee shall have the general supervision and management of the Library, its annexes, the Benchers Robing Room and the Consultation Rooms.

Rule 53—add to the end of the rule the words "and the Legal Education Committee respectively" so that the rule will now read—

> 53. The Chief Librarian shall have the immediate and general charge of the Library and the Phillips Stewart Library under the superintendence of the Library Committee and the Legal Education Committee respectively.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar—

1. Louis William Spiegel.
2. John Norman Lindsay (Special—Saskatchewan).

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

MONTHLY STATEMENT, March 1938.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

Mr. G. L. Smith reported briefly on the progress of the building extension and alterations.

UNAUTHORIZED PRACTICE COMMITTEE.

Mr. Mason reported that the Committee had dealt only with routine matters and had no formal report to present.

COUNTY LIBRARIES COMMITTEE REPORT.

In the absence of the Chairman, Mr. Middlebro presented the report.

ANNUAL GRANTS.

The following County Law Association having filed Annual Returns for the year 1937 in accordance with Rule 63(1) is entitled to the annual grant as set out, viz.:—

Renfrew	$184.00

the Committee therefore reports same to the Finance Committee and this Association having now complied in all other respects with the requirements of the rules in relation to County Libraries, the Committee recommends the payment of the said annual grant above mentioned.

LANARK LAW ASSOCIATION.

The Secretary of this Association has forwarded two bonds in reference to an application for a loan of $600.00.

The Committee recommend that this Association having made application and furnished the necessary bonds, a loan of $600.00 be made to this Association, to be repaid by annual instalments of $50.00 deducted from the annual grants to this Association.

APPLICATIONS FOR SPECIAL GRANTS.

Applications of six County Law Associations, viz.:—Grey, $250.00; Rainy River, $300.00; Dufferin, $300.00; Huron, $200.00; Lambton, $200.00; and Brant, $200.00, are to stand over until the report of the Special Committee on grants to County Libraries is considered.

NORTHUMBERLAND & DURHAM LAW ASSOCIATION.

This Association having filed an annual return for the year 1937 in accordance with rule 63(1) is entitled to a grant of $94.00.

The Committee recommend that the cheque for this amount be withheld until Mr. F. D. Kerr, K.C., reports on the condition of the Association and the position of the Law Society in respect to the executions that were issued against the Association.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE—RE PRIVATE BILLS.

Mr. McRuer presented the reports of the Special Committee as follows:—

Reports of the Special Committee appointed by Convocation on March 17th, 1938, to wait upon the Private Bills Committee of the Legislature of the Province of Ontario and to make representations on behalf of the Society opposing Bills Nos. 31 and 37 of the Second Session of the Twentieth Legislature of Ontario.

The Committee begs leave to report as follows:

RE BILL NO. 31—WILLIAM EDWARDS MACDONALD.

Mr. McRuer and Mr. Mason appeared before the Private Bills Committee on Friday the 1st day of April, 1938, and Mr. McRuer made representations opposing Bill No. 31 and opposed on behalf of the Society the reporting of this Bill. The Committee, however, on division decided to report the Bill.

The Committee begs leave to report as follows:

RE BILL NO. 37—ALEXANDER CAMERON LEWIS.

Owing to a court engagement of Mr. McRuer and the absence of Mr. Bullen from the City, Mr. White after consultation through the Secretary with the Treasurer, appeared before the Private Bills Committee on Tuesday the 22nd day of March, 1938, and made such representations opposing Bill No. 37 as occurred to him appropriate and opposed on behalf of the Society the reporting of this Bill. The Committee however unanimously decided to report the Bill.

ORDERED THAT THE REPORTS BE RECEIVED.

MEMORIAL TO THE LATE W. A. BOYS, K.C.

Mr. Geary presented the report of the Special Committee appointed to prepare a Memorial of the late William Alves Morgan Boys, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to his family.

The Benchers in Convocation assembled record with deep regret the death of Mr. William Alves Morgan Boys, K.C., late of the town of Barrie, who died on the 20th day of February, 1938.

Mr. Boys was born at Barrie on July 9, 1868, the son of the late Judge Boys and his wife, Mary Frances Morgan. Educated at Barrie Public School and Collegiate Institute, and later at Osgoode Hall, Toronto, he was Called to the Bar in the year 1893, and entered into practice in his native town which practice he carried on as a leading member of the Bar until his death. He was created a King's Counsel on November 12, 1910, and was appointed a Bencher of the Law Society on the 17th June, 1915, and became a life Bencher in 1931.

Mr. Boys took a deep interest in public affairs. He was Mayor of Barrie from 1902 until 1904, County Commissioner for 1905-6, and Warden of Simcoe County in 1907. He was at one time President of the Ontario Municipal Association. At a By-election held on June 10, 1912, Mr. Boys was elected to the House of Commons as member for South Simcoe, filling a vacancy due to the elevation to the Bench of the sitting member, Mr. Haughton Lennox. He was re-elected in the General Elections of 1917, 1921, 1925, and 1926. He stood high in the Councils of the Conservative Party and was Chief Whip of the Party. Mr. Boys withdrew from politics in 1930, and somewhat later, was appointed a Director of Canadian National Railway, which position he occupied for some years.

A devout Anglican, Mr. Boys was deeply interested in the work of Trinity Church in Barrie. Having a fine taste in music, he was particularly helpful in the services of the church and sang in the choir for upwards of fifty years.

Mr. Boys excelled in athletics, being an outstanding hockey and tennis player, member of the Champion Osgoode Hall hockey team, as well as the holder of the All-Canadian tennis championship. Later he was prominent in curling and became president of the Ontario Curling Association.

Throughout these various activities of a useful life, Mr. Boys earned the respect of those whom he served and with whom he associated. His qualities of heart and mind brought him many warm friendships.

RE PRIVY COUNCIL APPEALS.

The Treasurer referred to the Bill to abolish Appeals to the Privy Council introduced at the present session of Parliament and to the remarks of The Honourable the Minister of Justice.

Moved by Mr. Dunbar, seconded by Mr. Young, and Carried that a Special Committee be appointed by the Treasurer to consider the matter and report back to Convocation.

The Treasurer appointed the following Committee:—The Hon. G. R. Geary (Chairman), and Messrs. Hughes, McCarthy, McRuer, Mason, and the Treasurer.

CORRESPONDENCE.

The Treasurer read a letter from Mr. Frank Arnoldi, K.C., expressing his appreciation of the congratulations and good wishes of the Benchers on the occasion of his 90th birthday.

Ordered that the letter be received and filed.

The Treasurer read a letter from the Secretary of the Carleton Law Association with reference to legal education.

Ordered that the matter stand for consideration at a meeting of Convocation when Mr. Aylen is present.

The Treasurer read a further petition for the re-instatement as a Barrister and Solicitor of Joseph Aloysius O'Brien who was struck off the Rolls on 15th November, 1934.

Ordered that the petition be referred to the Discipline Committee for consideration and report.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH MAY, 1938.

PRESENT—The Treasurer, The Hon. H. T. Kelly, and Messrs. Aylen, Bullen, Carson, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, Kerr, King, Mason, Middlebro, McCarthy, McCrea, McRuer, Nickle, Roebuck, Seymour, Shaver, Sinclair, Smith, G. L., Smith, H. D., Sweet, Walsh, White, and Young.

Mr. G. L. Smith, K.C., was appointed Chairman.

ELECTION OF TREASURER.

Mr. R. S. Robertson, K.C., was elected Treasurer for the ensuing year and thereupon took the chair.

The Minutes of the meeting of April 21st, 1938, were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES.

The following standing committees were appointed to hold office until May, 1939:

FINANCE—Sir Allen Aylesworth, and Messrs. J. M. Bullen, C. F. H. Carson, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, D. L. McCarthy, Charles McCrea, J. C. McRuer, W. F. Nickle, G. L. Smith, Edmund Sweet, Peter White, McGregor Young.

LEGAL EDUCATION—Messrs. H. A. Aylen, C. F. H. Carson, A. G. Davis, J. S. Denison, Hon. G. R. Geary, G. F. Henderson, F. D. Kerr, G. W. Mason, W. S. Middlebro, D. L. McCarthy, J. C. McRuer, W. F. Nickle, G. N. Shaver, H. J. Sims, G. L. Smith, Peter White, McGregor Young.

REPORTING—Messrs. C. F. H. Carson, J. S. Denison, G. F. Henderson, Hon. F. J. Hughes, J. R. Marshall, T. G. Meredith,

D. L. McCarthy, J. C. McRuer, M. A. Seymour, W. E. N. Sinclair, A. G. Slaght, G. L. Smith, Edmund Sweet, G. T. Walsh, McGregor Young.

DISCIPLINE—Messrs. J. M. Bullen, C. F. H. Carson, A. G. Davis, J. S. Denison, C. L. Dunbar, I. F. Hellmuth, Hon. F. J. Hughes, G. W. Mason, W. S. Middlebro, J. C. McRuer, D. L. McCarthy, G. N. Shaver, W. E. N. Sinclair, A. G. Slaght, G. L. Smith, Peter White, McGregor Young.

LIBRARY—Messrs. J. M. Bullen, J. S. Denison, H. E. Fuller, Hon. G. R. Geary, G. W. Mason, Charles McCrea, G. G. McPherson, G. N. Shaver, H. J. Sims, W. E. N. Sinclair, G. L. Smith, H. D. Smith, G. T. Walsh, McGregor Young.

UNAUTHORIZED PRACTICE—Messrs H. A. Aylen, Sir Allen Aylesworth, J. S. Denison, Hon. W. A. Gordon, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, J. C. McRuer, W. N. Ponton, M. A. Seymour, H. J. Sims, A. G. Slaght, H. D. Smith, G. T. Walsh.

COUNTY LIBRARIES—Messrs. H. A. Aylen, H. E. Fuller, Hon. W. A. Gordon, R. C. Hays, G. F. Henderson, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, T. G. Meredith, W. S. Middlebro, W. F. Nickle, W. N. Ponton, J. H. Rodd, M. A. Seymour, G. N. Shaver, H. J. Sims, G. L. Smith, H. D. Smith, Edmund Sweet, Peter White, McGregor Young.

APPOINTMENT OF AUDITOR.

Mr. R. J. Dilworth of Messrs. Clarkson, Gordon, Dilworth & Nash, Chartered Accountants, was appointed auditor of the Society for the period of one year from the 1st June, 1938.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENT.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application:

	GRADUATE	DATE
1.	Edward McLeod Shortt	14th April, 1938.

Approved.

RESULTS OF EXAMINATION FOR MATRICULANT STUDENTS—Class I.

A record of the returns of the examiner (the Dean) of the special examination for Matriculants on J. A. R. Marriott's English Political Institutions and other documents, is submitted herewith.

Approved.

RE LECTURERS—Part Time—Reappointment.

The Dean recommends the reappointment for the term of one year ending the 31st May, 1939, of the part-time members of the teaching staff, namely, Messrs. Clute, Foster, Spence, Morden, McFadden, Macdonald, Edge and Tory.

Approved.

RE ATTENDANCE AT LECTURES—Rule 108.

The Dean submits his report on attendance, together with his recommendation as to keeping records of attendance in future.

The Committee recommends that the Dean's suggestions for the keeping of records of attendance be approved and adopted.

RE LAW STUDENTS HANDBOOK.

A revised draft of the Handbook for 1938-39 is submitted for approval or revision.

Approved.

RE ALEXANDER CAMERON LEWIS.

Mr. Lewis presents as his application for admission as a Barrister and Solicitor a certified copy of Bill No. 37 passed at the last session of the Legislative Assembly of Ontario—an Act to authorize the Law Society of Upper Canada to admit him as a Barrister and Solicitor.

The Committee recommends that this application be referred to Convocation for instructions with the recommendation that if Convocation otherwise approves, the applicant pay the fee required in special cases.

RE TORONTO LEGAL AID BUREAU.

The Bureau asks consideration of the suggestion that students in attendance at the Law School be used in the work of the Bureau.

The Committee approves of the suggestion and recommends that the Trustees of the Bureau consult with the Dean and other members of the staff as to the assignment of students for such work.

SPECIAL PETITIONS.

The Committee considered several special petitions by students asking for special relief and made recommendations in connection therewith.

THE REPORT WAS ADOPTED.

RE ALEXANDER CAMERON LEWIS.

Moved by Mr. Middlebro, seconded by Mr. Denison, and carried that Mr. Lewis be Called to the Bar and granted a Certificate of Fitness as a solicitor upon his payment of the usual fees payable in special cases ($1,500).

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

MONTHLY STATEMENT, APRIL 1938.

The usual monthly statement was presented.

SUSPENSIONS.

The following solicitors have been suspended from practice under the Solicitors Act for failure to take out their annual certificates:

1. J. C. Milligan, Cornwall.
2. C. D. O'Meara, Ottawa.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE LIBRARY ACCOMMODATION.

Mr. G. L. Smith presented the report of the Special Committee re Library Accommodation, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Special Committee appointed by Convocation on the 20th January, 1938, to arrange the allocation of space in the Library additions and the re-allocation of space in the old library, begs leave to report as follows:

The Committee approves and recommends to Convocation a new sketch plan for the alterations of the upper storeys of the West Wing for the purposes of the extension of the Library, and providing for fireproofing the portion of the building to be taken over by the Society, as submitted by the Architect and the Consulting Architect, Dr. Pearson, for submission for approval of the Government under the Order-in-Council dated March 6th, 1937.

The Committee recommends that Convocation leave the matter in the hands of the Building Committee with power to act and to call for tenders and before the acceptance of a tender to submit to Convocation the plan to be finally adopted and agreed upon by the Building Committee and the Department of Public Works.

The Committee recommends that the distribution of the books of the Society among the several available locations be left in its hands to be determined at a later date when the Committee will be in a better position to report a scheme.

THE REPORT WAS ADOPTED.

Moved by Mr. Walsh, seconded by Mr. Mason, and carried, that the question of insuring the Society's interest in the Great Library and the adjoining rooms used for library purposes be referred to the Finance Committee for consideration and report.

DISCIPLINE COMMITTEE REPORTS.

Re Harold Graham Meir.

Mr. McCarthy presented the report of the Discipline Committee herein.

Mr. McCarthy moved the adoption of the report.

The Solicitor did not appear nor was he represented by counsel.

The Report of the Discipline Committee in the matter of Harold Graham Meir, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Harold Graham Meir guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Harold Graham Meir be disbarred.

That the said Harold Graham Meir is unworthy to practise as a Solicitor.

NOTICE OF MOTION.

AMENDMENT OF RULE 61.

Mr. Shaver gave notice of Motion that at the next meeting of Convocation he would move that the rules be amended as follows:

Rule 61(2)—by adding after the word "Association" in the second line thereof, the following words: "Except the County of York Law Association", so that the said sub-section will read as follows:

> "61(2)—Subject to the provisions of Rule 64 the total amount paid to any Association except the County of York Law Association in any year shall not exceed $1,500.00."

and by adding to Rule 61 a further sub-section to read as follows:

> "61(3)—Subject to the provisions of Rule 64 the total amount paid to the County of York Law Association in any year shall not exceed $2,000.00."

DISCIPLINE COMMITTEE (*Continued*).

RE SOLICITORS IN ARREARS FOR FEES.

Mr. McCarthy presented the report of the Discipline Committee herein, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Discipline Committee begs leave to report as follows:

This matter was referred to the Committee by reason of a suggestion made to Convocation that it might be advisable to investigate the accounts of Solicitors who were in arrears in payment of their fees, fearing that possibly if they were pressed for payment that resort might be had to clients' funds to enable them to answer the demand.

A list of Solicitors in arrears for fees was submitted to the Committee as of March of this year, from which it appears that about 140 solicitors are in arrears for their fees, and approximately 20 barristers, amounting in all to approximately $7,000.00.

An analysis of the list submitted reveals the fact that about 60 were in arrears for $50.00 and over; about 27 were in arrears for $70.00 and over; about 12 were in arrears for $100.00 and over, and 3 were in arrears for $150.00 and over.

The Committee were of opinion that Solicitors who allowed their fees to become in arrears to any great extent were a menace to the profession, and it was suggested that the Chairman of this Committee should confer with the Chairman of the Finance Committee to see if some means could not be devised to more adequately deal with Solicitors becoming in arrears and if necessary to stop them practising while they were in arrears. Under the provisions of the Act a Solicitor is not permitted to practise and is subject to a penalty if he continues to practise without having taken out a certificate from year to year, and it is probable that a great many of the Solicitors who are now in arrears are actively engaged in practising contrary to the provisions of the Statute.

The Chairman conferred with the Chairman of the Finance Committee, who agrees that some steps should be taken to remedy this situation, but he expressed some doubt as to how the matter should be dealt with.

The Committee does not feel justified in incurring the expense of investigating the accounts of the different Solicitors who are in arrears even for substantial amounts, but the Committee is of opinion that a sub-committee should be formed, composed of members of the Finance Committee, the Committee on Unauthorized Practice and this Committee, to deal with this situation, and if necessary to investigate the different Solicitors who are in arrears to ascertain what their present position is and whether they are actively engaged in practice or not, with power to take such steps as may be necessary to compel the Solicitors to adjust their arrears.

The Committee also feels that Convocation might be justified in considering a change in the Rules by which a Solicitor would be automatically suspended if he was in arrears for his fees for say two years, or such period as Convocation may determine, and the Committee further suggests that Convocation request the joint Committee so appointed to report to them the result of their deliberations, with suggestions as to overcoming the present difficulties.

All of which is respectfully submitted.

Dated the 13th day of May, 1938.

"D. L. McCARTHY",
Chairman.

THE REPORT WAS ADOPTED.

The Treasurer appointed the following Special Committee—Messrs. McCarthy, Mason, and G. L. Smith.

RE "BONDED LAWYERS ASSOCIATIONS."

Mr. McCarthy presented the report of the Discipline Committee herein, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Discipline Committee begs leave to report as follows:

The Committee has before it a letter from Mr. A. B., a Solicitor, advising the Society that he had an arrangement whereby he was dividing his fees with the Canada Bonded Attorney & Legal Directory Limited, on collections sent to him by that Company, and asking the Committee whether under the circumstances it was proper for him so to do.

In reply to Mr. A. B.'s letter the Secretary sent him a copy of the report of the Discipline Committee dated the 20th day of January, 1933, duly adopted by Convocation on the 16th February, 1933, and a reply was received from the Solicitor saying that since this matter was called to his attention the practice of dividing fees with this Company would be discontinued.

Convocation will remember that a somewhat similar question arose in the case of E. D., who was splitting fees with a Notary Public, and the ruling of the Committee, as approved by Convocation, was duly published in the Ontario Weekly Notes, and the Committee therefore feel that a similar practice should be followed in connection with the Canada Bonded Attorney & Legal Directory Limited.

As there seems to be some doubt in the minds of the members of the profession regarding the ethics of these arrangements, the Committee suggest that an appropriate notice or memorandum be published under the authority of Convocation in the Ontario Weekly Notes, calling the attention of the profession to the practice adopted by Canada Bonded Attorney & Legal Directory Limited in their dealings with Solicitors in this province, and notifying the members of the profession that Convocation regards practice of this nature as professional misconduct and conduct unbecoming a Barrister and Solicitor.

All of which is respectfully submitted.

Dated the 13th day of May, 1938.

"D. L. McCARTHY,"
Chairman.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

Mr. Mason reported that the Committee had dealt only with routine matters and had no formal report to present.

COUNTY LIBRARIES COMMITTEE REPORT.

In the absence of the Chairman, Mr. H. D. Smith presented the report.

1. That the Report of the Special Committee on the question of an increase in grants to County Law Libraries to be submitted to Convocation was before this Committee.
2. *Applications for Special Grants.*

Grey Law Association.

Application for $250.00 to enable the Association to purchase a set of reports.

Rainy River Law Association.

Application for $300.00 to cover indebtedness.

Dufferin Law Association.

Application for a grant of $300.00 to purchase certain books.

Huron Law Association.

Application for a grant of $200.00.

Brant Law Association.

Application for a grant of $200.00 to compensate for the reduction in the amount of the Annual grant, owing to the rule limiting the grant to $20.00 a member.

The Committee is unable to recommend that the applications be granted but if the Associations apply for loans for the purposes they will be considered.

Lambton Law Association.

This Association applies for a Special Grant of $250.00 each year, in addition to the regular annual grant.

The Committee is unable to recommend this grant.

The Committee, while anxious to assist County Law Associations, is not disposed to consider with favour applications for a special grant or loan where a County Association, without first obtaining the approval of the County Libraries Committee has incurred debts or obligations which, in view of its annual income, it could not reasonably expect to pay without a special grant or loan, and it is suggested that in the future County Law Associations before incurring such liabilities, should submit to the County Libraries Committee for its approval, a list of books proposed to be purchased.

3. *Northumberland Law Association.*

The Committee recommend that this matter stand over for a further report from Mr. F. D. Kerr, K.C., on the position of the Association.

4. *Timmins and Porcupine Law Association.*

A letter dated May 9th, 1938, from the Secretary of the above Law Association was received requesting the establishment of a branch library at Timmins.

The Committee recommend that the Association be requested to formulate a plan as to the proposed branch library and submit it to the Law Society for consideration.

5. *Re Insurance on Law Libraries.*

The Secretary was directed to ascertain on what basis replacement value, in event of loss, is to be ascertained under the forms of policy carried by the Law Society and by the County Law Associations.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE INCREASED GRANTS TO COUNTY LIBRARIES.

The Treasurer, in the absence of the Chairman, read the report of the Special Committee re Increased Grants to County Libraries, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Special Committee appointed by Convocation on the 21st October, 1937, to consider the question of Increased Grants to County Law Libraries, begs leave to report as follows:

The Committee having fully considered the matters referred to it is of the opinion that there should not be a general increase in the amount of grants to County Library Associations.

The Committee is not unmindful that there are from time to time exceptional cases where additional assistance may properly be given but the Committee recommends that such cases be dealt with under the present rules and that as a matter of general practice such special assistance should be by way of loan rather than by grant.

All of which is respectfully submitted.

Dated the 10th day of May, 1938.

"J. R. MARSHALL,"
Chairman.

Mr. Middlebro moved the adoption of the report.

Moved in amendment by Mr. Fuller, seconded by Mr. King, that the report stand for consideration to the next meeting of Convocation.

THE AMENDMENT WAS CARRIED.

AMENDMENT OF RULES.

RULES 52 AND 53.

Mr. Denison having given due notice, moved as follows:

"That Rule 23 be suspended.

"That Rule 52 be amended by omitting the words "and the Phillips Stewart Library" and inserting the word "and" before "the Consultation Rooms" so that the rule will now read:

> 52. The Library Committee shall have the general supervision and management of the Library, its annexes, the Benchers Robing Room and the Consultation Room.

"That Rule 53 be amended by adding to the end of the rule the words "and the Legal Education Committee respectively" so that the rule will now read:

> 53. The Chief Librarian shall have the immediate and general charge of the Library and the Phillips Stewart Library under the superintendence of the Library Committee and the Legal Education Committee respectively.

THE MOTION WAS CARRIED.

MEMORIAL TO THE LATE HONOURABLE JAMES MAGEE.

The Treasurer appointed Messrs. Hellmuth, Denison and Mason, a special Committee to prepare a Memorial to the late Honourable James Magee.

RE CONSOLIDATED RULES.

Moved by Mr. Mason, seconded by Mr. Geary, and carried, that a Special Committee consisting of Messrs. Walsh and McRuer be appointed to discuss with the Government the preparation of a book of Consolidated Rules including Divorce Rules,

Rules in Criminal Proceedings, Surrogate Court Rules, and Rules respecting Certiorari, and request that the proposed printing of the Consolidated Rules be not proceeded with pending consideration.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. Wilmot Sinclair Campbell.

CORRESPONDENCE.

The Treasurer referred to the letter from the Secretary of the Carleton Law Association with reference to legal education, which letter stands from the meeting of Convocation of 21st April, 1938.

ORDERED that the matter be referred to Mr. Aylen for consideration with the Association and report back.

The Treasurer read a letter from J. R. Boys expressing his appreciation of the Memorial to the late W. A. M. Boys, K.C.

ORDERED that the letter be received and filed.

The Treasurer read a letter from the Secretary-Treasurer of the Conference of Governing Bodies of the Legal Profession in Canada with reference to matters of general importance to the profession before this Society.

ORDERED that the letter be referred to the Legal Education Committee for consideration and reply.

The Treasurer read a letter from the Proposed Housing and Planning Association with reference to a delegate from this Society.

ORDERED that the Secretary acknowledge receipt of the letter and inform the Association that the letter came too late for the action proposed and that the matter was beyond the scope of the activities of the Society.

The Treasurer read a petition for re-instatement as a Barrister and Solicitor of Harold H. Gordon, who was struck off the Rolls on 16th November, 1933.

ORDERED that the petition be referred to the Discipline Committee for consideration and report.

NOTICE OF MOTION.

AMENDMENT OF RULE 60.

On behalf of Mr. Sweet, Mr. Fuller gave notice that at the next meeting of Convocation Mr. Sweet would move that the Rules be amended as follows:

> "That Rule 60 be amended by striking out the words "not exceeding a maximum sum of $20.00 per annum for each member."

CONVOCATION THEN ROSE.

R. S. ROBERTSON,
Treasurer.

MINUTES OF CONVOCATION.

THURSDAY, 16TH JUNE, 1938.

PRESENT—The Treasurer, Sir William Mulock, Hon. H. T. Kelly, and Messrs. Aylen, Carson, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, King, Lucas, Marshall, Mason, Middlebro, McCarthy, McCrea, McRuer, Ponton, Price, Rodd, Roebuck, Seymour, Shaver, Sims, Smith G.L., Sweet, White, and Young.

SPECIAL PROCEEDINGS—CALL TO THE BAR.

On motion of Mr. Denison, *it was ordered* that the report of the Legal Education Committee as to the Presentation of Medals, awarding of Honours, and Call to the Bar, be received and adopted and that Convocation proceed with the presentation and Call to the Bar.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduates and friends. The following candidates were introduced by the Chairman of the Legal Education Committee and were Called to the Bar by the Treasurer:

1. William Francis Canary.
2. Carl Waisberg.
3. Leopold Lalonde.
4. Robert Lochie Algie.
5. Henry Lewis Schreiber.
6. Garth William Kerr Macdonald.
7. Henry Herbert Bull.
8. Claude Elgin Fallis.
9. John Charlton Hanselman.
10. James Lindsay Goldie.
11. Horace Reginald Button.
12. Donald Edmund McQuigge.
13. William Dobie Roberts.
14. Alexander Donald Smith Murison.

15. Stanley Frederick Sharpe.
16. George Alfred Ault.
17. Andrew Beauchamp Mackintosh Bell.
18. Richard Albert Bell—with Honours, Bronze Medal, and equal with one other for Christopher Robinson Memorial Scholarship and Matthew Wilson Memorial Scholarship.
19. Robert John Brennan.
20. William Russell Burnett.
21. John Arthur Victor Montgomery Gunn.
22. James Forsythe Harvey.
23. Aatto Arthur Kajander.
24. Robert Bancroft McCulloch.
25. John Thomas Weir.
26. William Allan Campbell.
27. John Herbert Corrigan.
28. Charles Wilson Cragg.
29. Donald MacEwan Egener.
30. Edward Cayley Elwood.
31. John Borden Hamilton.
32. John Thomas Johnson—with Honours, Bronze Medal, and equal with one other for Christopher Robinson Memorial Scholarship and Matthew Wilson Memorial Scholarship.
33. Goldwin Arthur Martin—with Honours, Gold Medal and Chancellor Van Koughnet Scholarship.
34. Donald Alexander McMaster.
35. Donald L. Oatman.
36. Joseph Reginald Okell.
37. John Felix Perrett—with Honours and The Gurston Allen Prize.
38. George Edward Grantham Whitaker.
39. Murray Edward Corlett.
40. Leonard Holness—with Honours.
41. Charles Boulton Kenny Kirk.
42. Nathan Maxwell Pivnick—with Honours.
43. Edward Lloyd Sparling.
44. Edward Garvin Caldbick.

PRESENTATION OF MEDALS.

MR. GOLDWIN ARTHUR MARTIN was presented with the Gold Medal and MR. RICHARD ALBERT BELL and MR. JOHN THOMAS JOHNSON, were presented with the Bronze Medals, awarded to them at the Easter, 1938, examinations.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of the 19th May, 1938, were read and confirmed.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

ELECTION OF CHAIRMAN.

Mr. G. L. Smith, K.C., was elected Chairman.

MONTHLY STATEMENT—MAY, 1938.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

The Treasurer and Mr. G. L. Smith asked the wishes of Convocation with reference to some formal proceedings on the occasion of the opening of the new wing.

Moved by Mr. White, seconded by Mr. Carson, that Convocation approve of the suggestion and that the matter be referred to the Finance Committee with power to act.

DISCIPLINE COMMITTEE REPORTS.

RE ARTHUR ELLIS.

Mr. McCarthy presented the report of the Discipline Committe herein, and moved the adoption of the report.

The Solicitor did not attend but his counsel, Mr. Wilfrid Heighington, K.C., appeared and addressed Convocation.

The report of the Discipline Committee in the matter of Arthur Ellis, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Arthur Ellis guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Arthur Ellis be disbarred.

That the said Arthur Ellis is unworthy to practice as a Solicitor.

RE JAMES LLOYD DOWNEY.

Mr. McCarthy presented the report of the Discipline Committee herein, and moved the adoption of the report.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of James Lloyd Downey, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said James Lloyd Downey guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said James Lloyd Downey be suspended from practice as a Barrister and Solicitor for the period of One year from the 16th day of June, 1938.

RE GEORGE MOFFATT BURR.

Mr. Dunbar presented the report of the Discipline Committee herein and moved the adoption of the report.

The Solicitor attended with his counsel Mr. A. A. Macdonald, K.C., but did not desire to address Convocation.

The report was adopted.

The Solicitor appeared before Convocation and was reprimanded by the Treasurer.

RE HAROLD GRAHAM MEIR.

The Secretary placed before Convocation the Order Striking off the Rolls.

RE SOLICITORS ADVERTISING.

Mr. McCarthy presented the report of the Discipline Committee herein.

The report was received.

Moved by Mr. McRuer, seconded by Mr. Shaver, and carried that no further action be taken with reference to the two solicitors referred to in the above report and that the report be referred back to the Discipline Committee, to draft suggestions as to what Rules ought to govern in the matter of advertising by solicitors.

RE SOLICITORS IN BANKRUPTCY.

Mr. McCarthy presented the report of the Discipline Committee herein.

Moved by Mr. Middlebro, seconded by Mr. Sweet, that the report be referred back to the Discipline Committee for further consideration and report.

Mr. McCarthy presented the report of the Discipline Committee, as follows:

ELECTION OF CHAIRMAN.

Mr. D. L. McCarthy, K.C., was elected Chairman.

THE REPORT WAS ADOPTED.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ELECTION OF CHAIRMAN.

Mr. J. S. Denison, K.C., was elected Chairman.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES	DATE
1.	John Gordon Carruthers	28th May, 1938.
2.	Frank Edward Dent	31st May, 1938.
3.	John Herbert Henry Depew	30th May, 1938.
4.	Charles William Fullerton	30th May, 1938.
5.	Donald Kerr Hardy	5th May, 1938.
6.	Sockley Kamin	7th September, 1937.

II. MATRICULANTS	DATE
7. Carl Maurice Gould	30th April, 1938.

Approved.

EXAMINATION RESULTS—Easter, 1938.

THIRD YEAR.

The record of the returns of the examiners of the Easter Examination for the Third Year, is submitted herewith, showing those who are entitled to be passed with Honours, those who have passed and those who have failed.

Approved.

HONOURS—THIRD YEAR.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. G. A. Martin.
2. R. A. Bell.
3. J. T. Johnson.
4. J. F. W. Ross.
5. N. M. Pivnick.
6. J. F. Perrett.
7. R. W. Mitchell.
8. L. Holness.
9. M. S. Smith.

Approved.

SCHOLARSHIPS—THIRD YEAR.

According to the returns of the examiners, the following are entitled to Scholarships, as follows:

CHANCELLOR VAN KOUGHNET SCHOLARSHIP—$400.00.

G. A. Martin.

CHRISTOPHER ROBINSON MEMORIAL SCHOLARSHIP—$100.00.

MATTHEW WILSON MEMORIAL SCHOLARSHIP—$45.00.

R. A. BELL and J. T. JOHNSON being equal for second place are entitled to have the above Scholarships for second and third places divided equally between them.

CLARA BRETT MARTIN MEMORIAL SCHOLARSHIP—$25.00.

(for highest mark in Wills and Trusts)

J. F. W. Ross.

THE GURSTON ALLEN PRIZE—$25.00.
(for highest mark in Conflict of Laws)

J. F. Perrett.

Approved.

MEDALS—THIRD YEAR.

Under Rule 130, the following candidates, being in due course, and having passed the final examination with Honours, are entitled to Medals, as follows:

GOLD MEDAL—G. A. Martin.
BRONZE MEDAL—R. A. Bell.
BRONZE MEDAL—J. T. Johnson.

Approved.

RESULTS OF EXAMINATION FOR MATRICULANT STUDENTS—Class II.

A record of the returns of the examiner (the Dean) of the special examination for Matriculants on Kennedy's Constitution of Canada, is submitted herewith.

Approved.

RE CASE-BOOKS.

Report of Sub-Committee.

After considering the tenders submitted for case books on Conflict of Laws, the Committee recommends that the matter be referred to the Chairman and Dean with power to act.

RE OFFICE TRAINING AND ORAL EXAMINATIONS.

Memorandum of the Treasurer stands from last meeting.

The Treasurer spoke of the suggestions submitted on these matters and certain proposed amendments to the Rules.

The Committee recommends that further action by this Committee be postponed as Notice of Motion to amend the rules in this behalf will be submitted to Convocation.

RE DEBATES—Osgoode Legal and Literary Society.

The question of granting Medals to the winners of class debates was referred by the Committee to the Chairman and Mr. McRuer. Their recommendation is before the Committee.

The Committee approves the principle of awarding Medals to the winners of class debates and recommends that the matter be referred to the Chairman and Mr. McRuer to settle the details on consultation with the Trustees of the Wallace Nesbitt Trust.

RE W. EDWARDS MACDONALD.

Mr. MacDonald presents as his application for admission as a Barrister, a certified copy of Bill No. 31 passed at the last sesssion of the Legislative Assembly of Ontario—an Act to authorize the Law Society of Upper Canada to admit him as a Barrister.

The Committee recommends that this application be referred to Convocation for instructions.

SPECIAL PETITIONS.

The Committee considered several special petitions by students asking for special relief and made recommendations in connection therewith.

THE REPORT WAS ADOPTED.

RE W. EDWARDS MACDONALD.

Moved by Mr. Carson, seconded by Mr. Seymour, and carried that Mr. MacDonald be Called to the Bar upon his payment of the usual fees payable in special cases ($1,500).

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

ELECTION OF CHAIRMAN.

Mr. McGregor Young, K.C., was elected Chairman.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

In the absence of the Chairman Mr. McCarthy presented the report.

ELECTION OF CHAIRMAN.

Mr. F. J. Hughes, K.C., was elected Chairman.

RE ONTARIO WEEKLY NOTES.

On January 19th, 1938, the Committee reported in part as follows:

> "The Committee expressed its opinion as to the contents and form of the cases to be published in the Ontario Weekly Notes and the consensus of opinion seemed to be that more cases of insufficient importance to be published in the Ontario Reports, should be published in the Ontario Weekly Notes, and that the notes of the cases which are subsequently to

be published in the Ontario Reports should be curtailed, consistent of course with the proper reporting of the case. The Editors were instructed to proceed along these lines and the matter was adjourned until the March meeting to see how this plan would work out."

The Editors were instructed by the Committee to proceed along the lines they have been following since January 19th, 1938.

A letter was read from the Carleton County Law Association suggesting that more judgments should be reported in the Ontario Weekly Notes. The Secretary was instructed to reply and advise the Carleton County Law Association of the action of Convocation.

A letter was read from Mr. J. Shirley Denison, K.C., containing a suggestion of one of the Justices of the Supreme Court of Ontario that the Ontario Weekly Notes should contain a suitable reference to unreported decisions. This suggestion was discussed at length by the Committee but it was decided that it should be left over for further consideration in September.

RE JUDGMENTS SUPREME COURT OF CANADA.

A letter was read from the Lawyers' Club of Toronto asking that judgments of the Supreme Court of Canada in respect of the appeals from Ontario should be noted in the Ontario Weekly Notes.

The Committee considered the matter and instructed the Editors to include in the Ontario Weekly Notes a note of the result of each appeal decided in the Supreme Court of Canada in Ontario cases as soon as practicable after the delivery of Judgment. The Secretary was instructed to advise the Lawyers' Club accordingly.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

In the absence of the Chairman Mr. Middlebro presented the report.

Mr. G. W. Mason, K.C., was elected Chairman.

A sub-committee consisting of the Chairman and Messrs. Denison and McRuer was appointed with power to deal with matters requiring consideration before the next meeting of the full committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

Election of Chairman.

Mr. G. F. Henderson, K.C., was re-elected Chairman and Mr. J. R. Marshall, K.C., vice-chairman.

Huron Law Association.

A letter was received from the Secretary of this Association, dated June 3rd, applying for a loan of $200.00 and enclosing the usual bond required by the rules of the Society, duly executed.

The Committee recommend that a loan be made to this Association of $200.00 without interest, the principal being repayable at the rate of $25.00 per year out of the annual grants.

Rainy River Law Association.

A letter was received from the Secretary of this Association, dated June 6th, applying for a loan of $300.00 and enclosing the usual bond required by the rules of the Society, duly executed.

The Committee recommend that a loan be made to this Association of $300.00 without interest, the principal being repayable at the rate of $25.00 per year out of the annual grant.

County Libraries—Re Insurance.

Letters were received from 24 Law Associations in reference to insurance on books in county law libraries, and also a letter from the Society's broker as to the insurance on the books in the Great Library.

The Committee referred the matter of a standard endorsement on insurance policies for law libraries to Messrs. Sweet, King and Fuller to consider and report back to the Committee.

Hamilton Law Association.

A letter was received from the Secretary of this Association with a list of a number of old editions of text books which might be of service to some of the smaller libraries.

The Committee recommends that the Chief Librarian advise some of the new or smaller libraries with a copy of the list of books available if they wish them.

Temiskaming Law Association.

A letter was read on behalf of Kirkland Lake barristers as to possibility of establishing a branch law library at Kirkland Lake.

The Chairman was directed to correspond further as to whether and how the suggestion might be accomplished.

Revised Statutes.

The Committee recommends that the matter of additional sets of the Revised Statutes being supplied to the libraries of the local law Associations for the use of the Supreme Court Judges in the administration of justice, be taken up with the proper authorities of the Ontario and Ottawa Governments.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE HONOURABLE JAMES MAGEE.

Mr. Denison presented the report of the Special Committee appointed to prepare a Memorial of the late Honourable James Magee, and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to his family.

Convocation records with deep regret the death on the 16th of May, 1938, of the Honourable James Magee who in 1891 had been elected a Bencher and who upon his retirement as a Judge of the Supreme Court of Ontario on the 31st of July, 1933, became again a Bencher ex officio.

The Honourable James Magee, though of Irish descent, was born in Liverpool, England, on March 26th, 1846, and came to Canada at an early age settling in London, Ontario. He was admitted to the Law Society as a student in Easter Term 1862; was Called to the Bar of Ontario in Michaelmas Term 1867, and appointed one of Her Majesty's Counsel in 1890. He filled the position of Crown Attorney for Middlesex County from 1893 to June 25th, 1904, when he was appointed a puisne judge of the High Court of Justice and later a Judge of the Appellate Division of the Supreme Court of Ontario, which latter position he occupied until his retirement.

During his long and honourable career as solicitor, counsel, Crown Attorney and Judge, he won the esteem and regard not only of the profession and the Bench but of the people of the province for his sound legal attainments, his wide experience and knowledge of human nature and for the unvarying dignity courtesy and kindness with which for so many years he discharged his various duties.

To the members of his family Convocation desires to extend the sympathy of its members coupled with this expression of the esteem in which their father is held by the members of the Bar of Ontario.

SPECIAL COMMITTEE RE INCREASED GRANTS TO COUNTY LIBRARIES.

Mr. Marshall presented the report of the Special Committee as read to Convocation on the 19th May, 1938.

Moved by Mr. Marshall, seconded by Mr. Middlebro, that the report be adopted.

Moved in amendment by Mr. Fuller, seconded by Mr. Seymour, that the consideration of the report be deferred until the next meeting of Convocation.

THE AMENDMENT CARRIED.

MOTIONS.

Re Rules 61(2) and (3).

At the request of Mr. Shaver consideration of the proposed amendments to the above rule was deferred until the next meeting of Convocation.

Re Rule 60.

At the request of Mr. Sweet consideration of the proposed amendments to the above rule was deferred until the next meeting of Convocation.

NOTICE OF MOTION.

Amendment of Rule 132.

Mr. Denison gave Notice of Motion that at the next meeting of Convocation he would move that the rules be amended by adding the following sub-sections to Rule 132:

132. (a) In addition to the examination upon the work of the Law School during the year, provided for by Rules 112 to 124 (both inclusive) every student-at-law at or before the end of the first year of his service under articles and during his last year of service under articles or after the termination there-

of and before he is admitted and enrolled as a solicitor, shall submit himself to an oral examination upon his work under articles.

(b) The Legal Education Committee shall fix the time for every such examination and shall appoint the examiners and may provide for their remuneration and shall make regulations for the conduct in all respects of the said examinations and may fix the requirements to be fulfilled by every student-at-law who submits himself to such an examination and may fix a fee, not exceeding $5.00, to be paid by each student-at-law in respect of every such examination before submitting himself thereto.

(c) A student-at-law who has failed to submit himself to any examination prescribed by this rule within the time required or who has failed to meet the requirements of the Legal Education Committee on such examination may with the permission of the said Committee again submit himself to such an examination.

(d) A student-at-law shall not be deemed to have entered upon the second year of service under articles unless and until he has satisfied the requirements of the Legal Education Committee in respect of the examination prescribed to be taken at or before the end of the first year of this service.

(e) A student-at-law shall not be admitted nor enrolled as a solicitor, unless and until he has satisfied the requirements of the Legal Education Committee in respect of the prescribed examination during or after the termination of his last year of service under articles.

CORRESPONDENCE.

The Treasurer referred to the letter from the Secretary of Carleton Law Association with reference to legal education, which letter stands from the meeting of Convocation of 19th May, 1938.

Ordered that the matter stand to the next meeting of Convocation.

Mr. Carson read the report of the Chairman and Secretary of the Toronto Legal Aid Bureau covering the work of the Bureau for the year 1937-38.

Moved by Mr. Carson, seconded by Mr. White, that the report be received and filed and that the Secretary be instructed to express to the Toronto Legal Aid Bureau the appreciation of Convocation of its valuable work, and that the question of a further grant to the Bureau be referred to the Finance Committee with power to act.

The Treasurer read a letter from Mr. O. S. Hollinrake, K.C., with reference to a 1937 amendment to the Quebec Bar Act.

Ordered that the matter be referred to the Committee on Unauthorized Practice.

The Treasurer read a letter from Messrs. Dancey & Bolsby, dated June 14th, 1938, and petitions from certain members of the Society in the County of Huron and of the members of the Municipal Council of the Town of Seaforth with reference to the reinstatement of Harold Graham Meir, disbarred May 19th, 1938.

Mr. J. J. Robinette appeared and addressed Convocation on behalf of the members of the Society of Huron County who signed the petition.

The Treasurer informed Mr. Robinette that no request for reinstatement had been received from Mr. Meir and that therefore the matter of his reinstatement was not before Convocation.

The Treasurer informed Convocation of the death on May 21st, 1938, of Joseph Boomer Walkem, K.C., of Kingston, Ontario.

Ordered that Convocation record in the Minutes the expression of sincere regret of the Benchers on the death of Mr. Walkem sometime a Bencher of this Society.

The Treasurer read a letter from Mr. Hugh Walkem expressing thanks for the flowers sent by the Benchers.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH SEPTEMBER, 1938.

PRESENT—The Treasurer, Sir William Mulock, The Hon. Hugh T. Kelly, and Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Kerr, King, Marshall, Mason, Middlebro, McCarthy, McCrea, McRuer, Roebuck, Shaver, Sinclair, Slaght, Sweet, Walsh, and White.

On motion of Mr. Denison, IT WAS ORDERED that the report of the Legal Education Committee as to Call to the Bar, the Returns of the Supplemental Examinations, Third year, September, 1938, and the special petition of R. K. Laishley be received and adopted and that Convocation proceed with the Call to the Bar.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by the Chairman of the Legal Education Committee and were Called to the Bar by the Treasurer:

1. Thomas Herbert Baker.
2. Clair Tooze.
3. Harry Glenn Hays.
4. Ronald Cogswell Jackson.
5. Reginald James Lamon.
6. James Frederick William Ross (with Honours and Clara Brett Martin Memorial Scholarship).
7. Edward William Smith.
8. Myer Ralph Solomon.
9. John O. Weldon.
10. John Lauder Pond.
11. Rowell Kenneth Laishley.
12. Thomas Joseph MacGregor Teasdale.
13. John Denton Reilly.

14. Walter Cyril Slack.
15. Charles Tyrrell Sutherland.
16. Thomas Robert BeGora.
17. Robert Murray Bell.
18. Charles Harkness Gordon.
19. Douglas Thurston Kee.
20. Murray Klebanoff.
21. Charles John Metcalfe.
22. John Forbes Morlock.
23. Justin Sullivan Mallon.
24. William Robert Morrison.
25. John Ambrose Regan.
26. Clen Allan Rowe.
27. William Kenneth Warrender.
28. James Ross MacBrien (Special—New Brunswick).
29. John William Horsley Rowley (Special—Nova Scotia).

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of June 16th, 1938, were read and confirmed.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Geary presented the report.

Monthly Statements—June, July and August, 1938.

The usual monthly statements were presented.

Re Charge for Annual Statutes—1939 Dominion and Ontario.

The Committee recommend that the charge to the members of the profession for the annual Statutes be fixed at $5.50, the same as last year.

THE REPORT WAS ADOPTED.

BUILDING COMMITTEE AND SPECIAL COMMITTEE ON LIBRARY ACCOMMODATION REPORT.

Mr. McCarthy presented the report.

The report was received.

On motion of Mr. McCarthy IT WAS ORDERED that the present Convocation Hall be furnished so as to afford a common room for the profession and that the Building Committee be authorized to purchase the necessary suitable furniture to carry out this idea.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES	DATE
1.	Simon Mackie Adams	14th June, 1938.
2.	John Donald Affleck	15th June, 1938.
3.	James Donald Bell	15th June, 1938.
4.	Arthur Lorne Binkley	10th June, 1938.
5.	James John Black	14th June, 1938.
6.	Samuel David Borins	30th August, 1938.
7.	Harvey Mifflin Brent	18th June, 1938.
8.	Douglas Ian Wallace Bruce	13th June, 1938.
9.	Alan Royal Campbell	14th June, 1938.
10.	William Grafton Cochrane	16th June, 1938.
11.	Thomas Frederick Cooper Cole	7th June, 1938.
12.	John Charles Newton Currelly	14th June, 1938.
13.	Ross Garstang Gray	13th June, 1938.
14.	Charles Edward Green	20th June, 1938.
15.	William Edward Green	15th June, 1938.
16.	Margaret Langley Griggs	11th June, 1938.
17.	Sidney Maxwell Halpern	31st August, 1938.
18.	Cyril Holly Hollingshead	13th June, 1938.
19.	John Frederick Isard	15th June, 1938.
20.	William Stanley Jamieson	22nd August, 1938.
21.	Harold Wilmer Kerby	8th June, 1938.
22.	Patrick K. Kerwin	14th June, 1938.
23.	James Ralph Hilborn Kirkpatrick	15th June, 1938.
24.	Archibald Malloch Laidlaw	9th July, 1938.
25.	John Franklin Lake	31st August, 1938.
26.	Donald James Lawson	10th June, 1938.
27.	J. Antoine Legris	7th July, 1938.
28.	Francis Edgar Ian Lewis	7th June, 1938.

I. GRADUATES	DATE
29. William Leeds Liscombe	15th June, 1938.
30. John Francis Mahony	10th June, 1938.
31. John Patrick Matthews	15th June, 1938.
32. William Ralph Meredith	15th June, 1938.
33. William Momotiuk	3rd June, 1938.
34. Donald Raymond Morand	3rd September, 1938.
35. Wallace Arthur McDonald	14th June, 1938.
36. Robert East MacKerrow	14th June, 1938.
37. Donald Grant Neelands	13th June, 1938.
38. Max Benjamin Nemoy	15th June, 1938.
39. James Pattison Nicol, Jr.	11th June, 1938.
40. Lawrence Gerard O'Connor	15th June, 1938.
41. Harry William Olch	15th June, 1938.
42. John Douglas Pickup	11th June, 1938.
43. Lawrence Pennell	16th June, 1938.
44. Frank Oatley Plant	13th June, 1938.
45. Walter Brechin Reid	2nd September, 1938.
46. Raymond Stephen Roach	15th June, 1938.
47. William Stewart Rogers	13th June, 1938.
48. Oswald James Day Ross	14th June, 1938.
49. B. Barry Shapiro	15th June, 1938.
50. Harold Sissons Shurtleff	29th August, 1938.
51. Raymond Louis Sylvestre	29th August, 1938.
52. Garth Osborne Thomson	14th June, 1938.
53. Hugh McMillan Thomson	29th August, 1938.
54. Lewis Mac Van Patter	13th June, 1938.
55. James Andrew Walker	30th June, 1938.
56. Joseph Kenneth Williams	15th June, 1938.
57. James Worrall	2nd June, 1938.
58. Samuel Earl Wyatt	8th June, 1938.
59. Louis Ziff	13th June, 1938.
60. Neldo Lawrence Lorenzetti	7th September, 1938.
II. MATRICULANT	
61. William Donald Nelson McKessock	22nd August, 1938.

Approved.

EXAMINATION RESULTS—Easter 1938.

FIRST YEAR.

The record of the returns of the examiners of the Easter Examinations for the First year, is submitted herewith.

Approved.

HONOURS—FIRST YEAR.

The following candidates, being in due course, and having obtained 75% of the total marks obtainable and 65% in each subject, are entitled to be passed with Honours:

1. R. A. Kingston.
2. J. C. Boland.
3. D. B. Symons.
4. A. H. Zaldin.
5. W. A. Sutherland.
6. C. P. Opper.
7. J. P. Palmer.
8. Z. G. C. Lash.

Approved.

SCHOLARSHIPS—FIRST YEAR.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

R. A. Kingston	$100.00
J. C. Boland	60.00
D. B. Symons	40.00

Approved.

SECOND YEAR.

The record of the returns of the examiners of the Easter Examinations for the Second year, is submitted herewith.

Approved.

HONOURS—SECOND YEAR.

The following candidates, being in due course, and having obtained 75% of the total marks obtainable and 65% in each subject, are entitled to be passed with Honours:

1. H. Soloway.
2. J. M. Godfrey.
3. A. N. Kearns.
4. W. G. C. Howland.
5. J. S. Kilgour.
6. W. H. C. Boyd.
7. M. H. Ramsay.
8. P. I. Henry.
9. R. G. Lewis.
10. A. E. Robinette.

Approved.

Scholarships—Second Year.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1.	H. Soloway	$100.00
2.	J. M. Godfrey	60.00
3.	A. N. Kearns	40.00

Approved.

Supplemental Examinations—September 1938, Third Year.

The record of the returns of the examiners of the supplemental examinations for the Third year is submitted herewith.

Approved.

Matriculant Students—Class I.

A record of the returns of the examiner (the Dean) of the supplemental examination for Matriculant students Class I. (Marriott's English Political Institutions) is submitted herewith.

Approved.

Call to the Bar and Certificate of Fitness—Special.

James Ross MacBrien having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of New Brunswick has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

John William Horsley Rowley having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Nova Scotia has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a solicitor under Rule 134(e).

Approved.

Special Petitions.

The Committee reported upon several special petitions by students asking for special relief and made recommendations in connection therewith.

Thomas Robert BeGora

asks that his name on the Rolls and records of the Society be changed from Thomas Begora as at present, to the above, his full name. A certificate of birth is filed.

The Committee recommends that the petition be granted.

JOHN GALBRAITH EDISON

asks that his name on the Rolls and records of the Society be changed from John Galbraith Abraham as at present to the above. A Deed Poll, dated 27th July, 1938, was duly entered the same date.

The Committee recommends that the petition be granted.

LOUIS W. SPENCER

asks that his name on the Rolls and records of the Society be changed from Louis W. Spiegal as at present, to the above. A deed Poll, dated 20th July, 1938, was duly entered on 21st July, 1938.

The Committee recommends that the petition be granted.

MR. PIERRE BOUTIN

a member of the Bar of the Province of Quebec, asks permission to attend certain selected courses of lectures at the law school, primarily for the purpose of improving his English.

The Committee recommends that he be allowed to attend lectures on payment of a tuition fee of $25.00.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1937-38 is submitted for consideration.

The Committee recommends that the report be received and referred to Convocation for consideration.

THE REPORT WAS ADOPTED.

DEAN'S REPORT.

ORDERED that consideration of the annual Report of the Dean for the year 1937-38 be deferred to the next meeting of Convocation.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

Mr. Denison presented the report of the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

Wallace Nesbitt Prize Essay Competition.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation

approved on October 21st, 1937, the Regulations governing an Annual Prize Essay Competition as submitted by the Committee nominated in the Trust Declaration consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The Committee now reports for the information of Convocation that in the competition held in the session of 1937-1938 prizes were awarded as follows:

(1) The first and second prizes of $150 and $75 respectively were apportioned equally between Irving Himel (3rd year)—"Law and Justice in the Soviet Union"—and Malcolm S. Smith (3rd year)—"Caveat Emptor: a Study of the Trust Indenture."

(2) The third prize of $40 was awarded to W. G. C. Howland (2nd year)—"Debtors' Relief Legislation."

All of which is respectfully submitted.

Dated 13th September, 1938.

"R. S. ROBERTSON,"
Treasurer.
"J. SHIRLEY DENISON,"
Chairman, Legal Education Committee.
"JOHN D. FALCONBRIDGE,"
Dean.

THE REPORT WAS FILED.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

MR. MASON.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

RE JOHN HENRY NAUGHTON.

Mr. McCarthy presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of John Henry Naughton, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said John Henry Naughton guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said John Henry Naughton be disbarred.

THAT the said John Henry Naughton is unworthy to practice as a Solicitor.

RE MATTHEW MUNSELL BROWN.

Mr. McCarthy presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Matthew Munsell Brown, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Matthew Munsell Brown guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

THAT the said Matthew Munsell Brown be disbarred.

THAT the said Matthew Munsell Brown is unworthy to practise as a Solicitor.

Convocation adjourned at 1 p.m.
Meeting resumed at 2 p.m.

RE HOWARD O. HESSELL.

Mr. McCarthy presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Howard O. Hessell, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Howard O. Hessell guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

THAT the said Howard O. Hessell be disbarred.

THAT the said Howard O. Hessell is unworthy to practise as a Solicitor.

The Secretary placed before Convocation the following orders:

RE ARTHUR ELLIS—Order striking off the Rolls.

RE JAMES LLOYD DOWNEY—Order suspending from practice for one year.

RE DEFALCATIONS BY SOLICITORS.

Mr. McCarthy referred to a report which appeared in The Times, London, England, 15th July, 1938, and to letters from the Canadian Law List Publishing Company, and the Essex Law Association with reference to the above matter, to the keeping of accounts by Solicitors and to Solicitors in arrears for fees.

MOVED by Mr. McCarthy, seconded by Mr. Mason, AND CARRIED that the above matters together with discipline procedure in general and all matters relating thereto be referred to the Discipline Committee for consideration and report.

LIBRARY COMMITTEE REPORT.

In the absence of the Chairman Mr. Bullen presented the report.

The Committee recommends the appointment of the following students to act as night librarians for the term of 1938-39, viz.:

J. A. Bradshaw	Third year.
D. H. Ongley	Third year.
N. F. H. Berlis	Second year.
M. H. Ramsay	Third year.

That the Great Library be opened in the evenings (except Saturdays) from 7.30 p.m. to 10.30 p.m. and on Saturday afternoons from 2 p.m. to 5 p.m.

That the Librarian of the University of Toronto has presented the Library with a copy of the Invitation Card issued by the Law Society to a Reception to H.R.H. The Prince of Wales in September, 1860.

The Committee recommend that the Reception Card be framed.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

In the absence of the Chairman Mr. Denison presented the report.

RE ONTARIO WEEKLY NOTES.

A letter was received in June from Mr. J. Shirley Denison, K.C., containing a suggestion of one of the Justices of the Supreme Court of Ontario, to the effect that the Ontario Weekly Notes should contain a suitable reference to some of the unreported decisions. This suggestion was discussed at length by the Committee at its meeting in June but it was decided that it should be left over for further consideration in September.

The Committee recommends that no action be taken at the present time. In the opinion of the Committee the utility of such a reference is not at present clear.

RE REPORTERS.

The Committee recommend that Mr. F. J. Cornish, Barrister, be appointed to the staff of reporters in place of Mr. Alex. Gray who has resigned.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

At the request of the Chairman, Mr. Middlebro presented the report.

1. That the Committee records its sorrow upon the death of Mr. George F. Henderson, K.C., who died on July 27th, 1938, and who for many years was Chairman of this Committee.

The Committee assumes that Convocation will prepare and forward a suitable Memorial.

2. That Mr. J. R. Marshall, K.C., Vice-chairman, was elected Chairman of the Committee.

3. That a report was submitted of the correspondence with reference to procuring from the Dominion and Ontario Governments a second copy of the Statutes for each of the County Libraries and directions were given to follow this up.

4. That the reports of the Sub-committee upon insurance coverage for county libraries and with reference to the Northumberland Law Association were postponed until next meeting.

5. That the Librarian's report on his inspection of County Libraries made in 1937 was discussed and directed to be filed.

6. The matter of increased Government grants was brought up and the Treasurer advised that the subject was on the agenda before Convocation.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE INCREASED GRANTS TO COUNTY LIBRARIES.

ORDERED that consideration of the report presented to Convocation on the 19th May, 1938, be deferred to the next meeting of Convocation.

MEMORIAL TO THE LATE G. F. HENDERSON, K.C.

The Treasurer appointed Messrs. McCrea and Aylen a Special Committee to prepare a Memorial to the late George F. Henderson, K.C.

SPECIAL COMMITTEE RE INCREASED GOVERNMENT GRANT TO COUNTY LIBRARIES.

In January, 1938, Convocation received the report of the Committee and it was ordered that this matter be placed on the agenda for September, 1938, Convocation.

ORDERED that the matter stand for further report after the Committee has interviewed the Attorney-General.

MOTIONS.

RE RULE 61(2) AND (3).

At the request of Mr. Shaver, consideration of the proposed amendments to the above rule was deferred until the next meeting of Convocation.

RE RULE 60.

At the request of Mr. Sweet, consideration of the proposed amendments to the above rule was deferred until the next meeting of Convocation.

RE RULE 132A.

Mr. Denison having given due notice, moved, seconded by Mr. McCarthy, as follows:

THAT Rule 23 be suspended.

THAT the Rules be amended by adding the following new Rule 132A:

(1) In addition to the examination upon the work of the Law School during the year, provided for by Rules 112 to 124 (both inclusive) every student-at-law at or before the end of the first year of his service under articles and during his last year of service under articles or after the termination thereof and before he is admitted and enrolled as a solicitor, shall submit himself to an oral examination upon his work under articles.

(2) The Legal Education Committee shall fix the time for every such examination and shall appoint the examiners and may provide for their remuneration and shall make regulations for the conduct in all respects of the said examinations and may fix the requirements to be fulfilled by every student-at-law who submits himself to such an examination and may fix a fee, not exceeding $5.00, to be paid by each student-at-law in respect of every such examination before submitting himself thereto.

(3) A student-at-law who has failed to submit himself to any examination prescribed by this rule within the time required or who has failed to meet the requirements of

the Legal Education Committee on such examination may with the permission of the said Committee again submit himself to such an examination.

(4) A student-at-law shall not be deemed to have entered upon the second year of service under articles unless and until he has satisfied the requirements of the Legal Education Committee in respect of the examination prescribed to be taken at or before the end of the first year of his service.

(5) A student-at-law shall not be admitted nor enrolled as a solicitor, unless and until he has satisfied the requirements of the Legal Education Committee in respect of the prescribed examination during or after the termination of his last year of service under articles.

THE MOTION WAS CARRIED.

RE ALEXANDER CAMERON LEWIS.

Moved by Mr. Geary, seconded by Mr. King, and CARRIED that the Legislature of the province of Ontario having authorized the Law Society of Upper Canada to admit Alexander Cameron Lewis as a Barrister and Solicitor:

THAT it having been represented to the Society that the intent and purpose of the Legislature in passing the said Act was that an honour might be conferred upon the said Alexander Cameron Lewis as an officer of long standing in its service as Clerk of the Legislative Assembly, and it being further represented and the Society being assured that there is no intention on the part of the said Alexander Cameron Lewis to enter the practice of law;

THEREFORE BE IT RESOLVED that acting upon the faith of the said representations and with a desire to facilitate the Legislature of the Province in its desire to honour one of its officers, the said Alexander Cameron Lewis be admitted to the Law Society of Upper Canada as a Solicitor, and that the degree of Barrister-at-law be conferred upon him, and that all fees in that connection required to be paid by the Rules of the Society be and the same are hereby remitted.

CORRESPONDENCE.

The Treasurer referred to the letter from the Secretary of the *Carleton Law Association* with reference to Legal Education which letter stands from the meeting of Convocation of 16th June, 1938.

ORDERED that the matter be referred to the Legal Education Committee for consideration and report.

The Treasurer read a letter from the Secretary of the Law Society of Saskatchewan enclosing copies of resolutions passed by the Benchers with respect to The Petition of Right Act; the Judges' Act, and Appeals to the Privy Council.

ORDERED that the letter and the resolutions with respect to the Petition of Right Act and the Judges' Act be received and filed.

ORDERED that the resolution with respect to Appeals to the Privy Council be referred to the Special Committee therein.

The Treasurer read a letter from Mr. A. A. Magee, K.C., expressing his appreciation of the Memorial to the late Honourable James Magee.

ORDERED that the letter be received and filed.

The Treasurer read a letter from the family of the late G. F. Henderson, K.C., expressing their thanks for flowers sent by the Benchers.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,

Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH OCTOBER, 1938.

PRESENT—The Treasurer, Sir William Mulock, The Hon. Hugh T. Kelly, and Messrs. Aylen, Carson, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, King, Lucas, Marshall, Mason, Middlebro, McCarthy, Price, Rodd, Roebuck, Seymour, Shaver, Sims, Slaght, Smith, G. L., Sweet, Tilley, Walsh and White.

The Minutes of the meeting of Convocation of 15th September, 1938, were read and confirmed.

RE CONFERENCE OF GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA.

MR. J. R. MARSHALL, K.C. was appointed the Society's representative on the Conference of Governing Bodies of the Legal Profession in Canada.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

I. GRADUATES	DATE
1. Edwin Ronald Bennett	13th September, 1938
2. James Elisha Brown	12th September, 1938
3. John Jeremiah Buckley	13th September, 1938
4. George Warden Bull	19th September, 1938
5. James Hamilton Burtch	20th September, 1938
6. Wallace Dunning Cox	15th September, 1938
7. William Geldart Findlay	19th September, 1938
8. George Harold Fort	17th September, 1938
9. William David Franklin	12th September, 1938
10. William Bruce Hornell	20th September, 1938
11. Lawrence Hynes	12th September, 1938

I. Graduates	Date
12. James Alexander Irvine	6th September, 1938
13. James Allen Macdonald	14th September, 1938
14. Donald Cyril Anthony McDonnell	19th September, 1938
15. Grant Murray Paulin	14th September, 1938
16. Charles George Robson	15th September, 1938
17. June Helen Ryan	14th September, 1938
18. Patrick David Scollard	15th September, 1938
19. Ronald Harper Smith	15th September, 1938
20. Mary Ruth Swadron	6th September, 1938
21. William John Thompson	19th September, 1938
22. Fergus Patrick Walsh	20th September, 1938
II. Matriculants	
23. William George Herbert Bennett	22nd July, 1938
24. Robert Dick Cawthorpe	13th September, 1938
25. Donald Thomas Elliott	7th September, 1938
26. Vivien Nelson Weekes	12th September, 1938

Approved.

Call to the Bar and Certificate of Fitness—Special.

Leo Albert Landreville having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Nova Scotia has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

Alexander Cameron Lewis has applied to be Called to the Bar of Ontario and granted a Certificate of Fitness to practise as a Solicitor under a Special Act, 2 Geo. VI, 1938, Chapter 57 (Ont.). He has filed the proper papers and the fees payable have been remitted by a Resolution of Convocation of 15th September, 1938.

Approved.

William Edwards MacDonald has applied to be Called to the Bar of Ontario under a Special Act, 2 Geo. VI, Chapter 59 (Ont.). He has filed the proper papers and paid the required fees $1,500.00.

Approved.

SUPPLEMENTAL EXAMINATIONS—September, 1938.

First and Second Years.

The record of the returns of the examiners of the supplemental examinations for the First and Second years is submitted herewith.

Approved.

RE ORAL EXAMINATIONS—Rule 132A.

Drafts of proposed regulations under this Rule, notice to students and to solicitors are before the Committee for consideration.

The Committee recommends that the circular to students be approved and distributed forthwith and that the other details in connection with this matter be referred to a sub-committee composed of the Chairman and Treasurer.

RE BOOK-KEEPING AND ACCOUNTANCY LECTURES.

Mr. J. G. Glassco submits a memorandum of the proposed course in this subject for the present year.

Approved.

RE COUNTY OF CARLETON LAW ASSOCIATION.

Letters of January 18th and March 25th, 1938, and enclosures with reference to matters of legal education were referred by Convocation to this Committee for consideration.

The Committee recommend that this matter be referred to the Chairman for consideration and report back to your Committee.

The Committee recommends to the Finance Committee that the Students' Common Rooms be suitably furnished forthwith.

SPECIAL PETITIONS.

The Committee reported upon several special petitions by Students asking for special relief and made recommendations in connection therewith.

RE ARNOLD B. CLIFF.

RE DAVID SPENCER.

The Benchers of the Law Society of British Columbia request that the above students-at-law and articled clerks be permitted to pursue their studies for one year at Osgoode Hall Law School.

The Committee recommends that the request be granted.

RE JACQUES DE BILLY.
RE JEAN NOEL.
RE NAPOLEON BEAUDET.

Members of the Bar of the Province of Quebec, ask permission to attend certain selected courses of lectures at the Law School.

The Committee recommends that they be allowed to attend lectures on payment of a tuition fee of $25.00.

THE REPORT WAS ADOPTED

DEAN'S REPORT.

Mr. Denison presented the report of the Dean of the Law School for the session 1937-38, as follows.

Annual Report of the Dean of The Law School.

12th September, 1938.

1. I beg leave to submit my fifteenth annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1937-1938.

REGISTRATION OF STUDENTS.

2. The number of students registered and in attendance at the law school during the last two years was as follows:

	1936-1937	1937-1938
First year	121	101
Second year	99	110
Third year	127	98
	347	309

HOURS OF CLASS INSTRUCTION.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1937-1938 was as follows:

	First year	Second year	Third year	Total
The Dean	40	76	42	158
Dr. MacRae	30	42	74	146
Dr. Wright	84	......	76	160
Mr. Clute	36	42	34	112
Mr. Foster	30	26	24	80
Mr. Spence	......	......	30	30
Mr. Morden	......	34	......	34
Mr. McFadden	18	......	......	18
Mr. Macdonald	42	......	......	42
Mr. Edge	......	30	......	30
Mr. Tory	......	30	......	30
	280	280	280	840

The reduction in the number of hours of class instruction as compared with the normal number (900) was due to the fact that on account of the epidemic of poliomyelitis prevailing in Toronto in September, 1937, the opening of the law school was postponed for two weeks.

BOOK-KEEPING AND ACCOUNTING.

4. As authorized by Convocation the course in book-keeping and accounting given to the Third year will in the session of 1938-1939 be somewhat extended in scope, and the students will be required to pass an examination. I recommend that Mr. J. G. Glassco of the firm of Messrs. Clarkson & Co. or if his services are not available, Mr. C. A. Patterson of the same firm, or some other person approved by Mr. Glassco, be requested to give the course, and set and read the examination papers; and that in view of the extension of the course and the requirement of an examination, the honorarium to be paid be substantially increased.

TEACHING STAFF AND COURSES OF INSTRUCTION.

5. The changes in the teaching staff and the rearrangement of subjects outlined in my annual report of 14th September, 1937, became effective in the session of 1937-1938. Mr. John S. D. Tory, B.A., S.J.D., was appointed lecturer on Company Law in place of Mr. Borden, resigned. All the part-time members

of the staff have on my recommendation already been reappointed by Convocation for a further term of one year, and no change in the teaching staff or rearrangement of subjects is contemplated for the ensuing session.

BUILDING OPERATIONS.

6. The session of 1937-1938 was a disturbed period, not only because of the delay in the opening of the law school already mentioned, but also because of the extensive building operations which continued during the whole of the session, and which included important alterations and additions in and about the part of Osgoode Hall occupied by the Law School. The students cheerfully co-operated with the secretarial staff and the teaching staff so as to make it possible to carry on the law school work effectively notwithstanding the somewhat unfavourable conditions. The improved accommodation now provided will be appreciated during the ensuing session.

EXAMINATIONS FOR MATRICULANT STUDENTS.

7. In accordance with Rule 86B two examinations were held in April, 1938, for students of the Matriculant Class who were not in attendance at the law school in the session of 1937-1938, namely (1) an examination on Marriott's English Political Institutions and certain prescribed documents for students who were in the second year of their service under articles, and (2) an examination on Kennedy's Constitution of Canada for students who were in their third year of service under articles. I recommend that similar examinations on the same prescribed books be held in April, 1939.

All of which is respectfully submitted.

"JOHN D. FALCONBRIDGE",
Dean.

IT WAS ORDERED that the Report be received and that the recommendations of the Dean therein be approved.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

ANNUAL FINANCIAL STATEMENT—1937-1938.

The annual statement for the year ending 31st August, 1938, as certified by the auditors, Messrs. Clarkson, Gordon, Dilworth,

& Nash, is submitted herewith for approval for publication pursuant to the Rules.

ESTIMATES, 1938-1939.

An estimate of the probable receipts and expenditures for the year 1938-1939, is submitted herewith.

MONTHLY STATEMENT—September, 1938.

The usual monthly statement was presented.

SUSPENSION.

The following solicitor has been suspended under the Solicitors Act for failure to take out his annual certificate—

John Idington, Toronto.

THE REPORT WAS ADOPTED

IT WAS ORDERED that the Annual Financial Statement for the year ending 31st August, 1938, be printed in the O.W.N.

Mr. Smith reported briefly on the plans for the Extension of the Great Library in the West Wing and explained the reasons for delay in the work proposed.

DISCIPLINE COMMITTEE REPORTS.

RE RESTORATION TO THE ROLLS.

Mr. McCarthy presented a report of the Discipline Committee as follows:

To the Benchers of the Law Society of Upper Canada in Convocation assembled—

The Discipline Committee begs leave to report as follows:

RE RESTORATION TO THE ROLLS.

Your Committee in approaching the consideration of applications for restoration to the Rolls has had the benefit of being informed of the principles applied and of the practice adopted on similar applications by the Law Societies of the different Provinces of Canada, of the Bars of the State of New York, the State of Pennsylvania and the State of Massachusetts, and also of the Council of the Law Society in England, and have also made themselves familiar with the authorities in this Province, in England, in the different Provinces of Canada and the Supreme Court of Queensland, in which the question of the restoration to the Rolls has been discussed.

The principal considerations which appear to have influenced the determination of such applications in the several jurisdictions above referred to are the following:

(1) The fact that disbarment is to be regarded as essentially permanent in its nature as distinguished from cases where orders have been made suspending Solicitors from practice for stated periods, and that therefore restoration should be recommended only in exceptional circumstances and upon special grounds. A Solicitor is struck off the Rolls because Convocation finds that he was guilty of such grave professional misconduct and conduct so grossly unbecoming a Barrister and Solicitor that he is deemed not fit to remain on the Rolls of the Society. It is the extreme penalty and carries with it no hope of a future within the Society. Unless the Solicitor makes out a case of very special circumstances and shows that he has entirely purged his guilt, and has in all other respects fulfilled the requirements for reinstatement, an investigating body should be slow to recommend his restoration to the Rolls.

(2) The character of the charges upon which the Solicitor was disbarred and the circumstances under which the offence was committed are always matters for consideration on application for restoration. There may be cases in which the punishment of a Solicitor is the outcome of a career of either reckless extravagance or deliberate crime, or there may have been deliberate and studious stealing of clients' funds with the intention to defraud, in which cases an application for restoration should be almost hopeless. On the other hand, there may be cases in which Solicitors have become involved by reason of obligations entered into on behalf of others, or have been the victims of misfortune or of the wrongdoing of others and their misconduct is in part at least to be attributed to the embarrassment and distress arising from these unforeseen circumstances rather than to the studied design or an intention to defraud. In such cases it has been necessary to punish them, but if given a fresh start under proper circumstances they may on being restored to the Rolls of the Society conduct themselves as decent members of the profession.

(3) In cases where the offence is that the Solicitor has misappropriated clients' money it is a prime requisite to rein-

statement that complete restitution should always be made. This requirement appears to be a *sine qua non* even in an application which may otherwise be meritorious, one reason being that obviously a Solicitor should have made restitution before he applies for restoration, but there are further reasons. If a Solicitor is restored to the Rolls and is still in an embarrassed financial position by reason of his old indebtedness, this may have a very deleterious effect on his relations with his clients and the public generally. The pressure of the circumstances that contributed to his former misconduct is still present.

(4) Substantial and satisfactory evidence should be given that there is no probability of the Solicitor offending in the future. In this connection, it should be considered whether a sufficient period has elapsed before the Solicitor makes an application for restoration. This has a very distinct bearing on whether the Solicitor has completely rehabilitated himself. He should establish that his conduct and character are unimpeached and are unimpeachable, and this can be established only by the evidence of trustworthy persons, especially members of the profession and persons with whom the Solicitor has been associated during his disbarment. Evidence to be given orally is to be preferred to evidence by declaration, affidavit or letter. Where such evidence is offered by witnesses interested financially in obtaining the reinstatement of the Solicitor it is not to be regarded too seriously. Evidence that the Solicitor has strictly refrained from engaging in the practice of law since his disbarment is also a matter to be considered in this regard.

(5) Restoration should be recommended only where the Solicitor has shown by a long course of conduct that he is a person to be trusted and in every way fit to be a member of the Society, and unless an investigating body is entirely satisfied on these grounds it should move slowly and with great caution before recommending the restoration of a Solicitor to the Rolls.

All of which is respectfully submitted.

Dated the 19th day of October, 1938.

"D. L. McCARTHY",
Chairman.

After discussion, on motion of Mr. McCarthy, the report was received.

RE RULE 61(2) AND (3).

A deputation of the County of York Law Association waited upon Convocation and Mr. H. V. Laughton, K.C. addressed Convocation with reference to the above Rule and Mr. Shaver's proposed amendments thereto.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar—

1. William Campbell Gordon.
2. Leslie Charles Barrett.
3. Leo Albert Landreville (Special—Nova Scotia).
4. Alexander Cameron Lewis (Special—Special Act).
5. William Edwards MacDonald (Special—Special Act).

DISCIPLINE COMMITTEE REPORTS.

(*Continued.*)

RE JOSEPH GRAEME HOOD.

Mr. McCarthy presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Joseph Graeme Hood, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Joseph Graeme Hood, guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Joseph Graeme Hood be suspended from practice as a Barrister and Solicitor for the period of *two months* from the 20th October, 1938.

RE ELLIS HUGHES CLEAVER, JR.
RE JAMES ALOYSIUS O'BRIEN.
RE HAROLD HAMILTON GORDON.

Convocation considered the applications for reinstatement of the above mentioned former Barristers and Solicitors and resolved that their petitions be refused.

CONVOCATION ADJOURNED AT 1.10 P.M.
MEETING RESUMED AT 2.10 P.M.

ORDERS.

The Secretary placed before Convocation the following Orders—

Re John Henry Naughton—Order Striking off the Rolls.
Re Matthew Munsell Brown—Order Striking off the Rolls.
Re Howard O. Hessell—Order Striking off the Rolls.

RE SOLICITORS ADVERTISING.

Mr. McCarthy presented the report of the Discipline Committee herein, as follows:

To the Benchers of the Law Society of Upper Canada in Convocation assembled—

The Discipline Committee begs leave to report as follows:

Your Committee recently called the attention of Convocation to the practice of certain solicitors inserting advertisements in the public press and in various legal papers which, in the opinion of your Committee, were unprofessional and should not be tolerated. Convocation directed your Committee to consider the matter further and report back to Convocation with their suggestions at its next meeting. Your Committee having carefully considered the matter, beg leave to report to Convocation as follows:

Your Committee recommend that the following notice be published in the Ontario Weekly Notes and in such other papers and periodicals as your Committee may think proper:

> "The attention of Convocation has been called to certain advertisements appearing in telephone directories and paid advertisements appearing in certain newspapers and periodicals which, in the opinion of Convocation, are solicitation for

business, calling attention to the Solicitor's alleged qualification for transacting certain classes of business. These advertisements, in the opinion of Convocation, constitute a departure from the traditions of the Society and tend to lower the tone of the lawyer's high calling and, in the opinion of Convocation, the same should not be tolerated; and in the event of the practice being continued Convocation will take the necessary steps to discipline those solicitors who, in the opinion of Convocation, are guilty of unprofessional conduct in the matter of advertising, contrary to the well established standard of the Society."

All of which is respectfully submitted.

Dated the 6th day of October, 1938.

"D. L. McCARTHY",
Chairman.

On motion of Mr. McCarthy the report was adopted.

RE DEFALCATIONS BY SOLICITORS.

Mr. McCarthy presented the report of the Discipline Committee herein, as follows:

To the Benchers of the Law Society of Upper Canada in Convocation assembled—

The Discipline Committee begs leave to report as follows:

Re Defalcations by Solicitors.

On the 15th September, 1938, Convocation referred to your Committee for consideration and report the above matter. Your Committee having considered the material before it, including the report which appeared in The Times, London, England, 15th July, 1938, recommends to Convocation the appointment of a Special Investigator to inspect the books and accounts of Solicitors on behalf of the Discipline Committee and Convocation, and further recommends that your Committee be authorized to advertise for such investigator, and engage such person as may in the opinion of your Committee be competent to fill the position, and that the question of his salary be in the discretion of your Committee with the approval of the Chairman of the Finance Committee.

All of which is respectfully submitted.

Dated the 6th day of October, 1938.

"D. L. McCARTHY",
Chairman.

On motion of Mr. McCarthy the report was adopted.

LIBRARY COMMITTEE REPORT.

The Vice-Chairman, Mr. Geary, presented the report.

The Hon. G. R. Geary, K.C. was elected vice-chairman.

Electric Table Lamps for Library.

Tenders for the placing of these lights were referred to the Finance Committee with a recommendation that the work be carried out.

Painting of the Library.

The Government Architect has reported that pending anticipated extensions to the Library, the cost of painting was not included in the Estimates for the year 1939.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE REPORT.

In the absence of the Chairman, Mr. Carson presented the report.

A discussion took place on the question of noting or reporting, respectively, in the Ontario Weekly Notes or the Ontario Reports all Ontario judgments delivered by the Supreme Court of Canada and by the Judicial Committee of the Privy Council. The Committee considers that this matter is very important and that it should be studied further before any recommendation is made.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

At the request of the Chairman, Mr. Hays presented the report.

The Committee recommends that letters be sent to persons using the designation "Customs Counsel" requesting that they discontinue such use.

The other matters considered by the Committee do not require the attention of Convocation at present.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Re Insurance.

The report of the sub-committee on the form of insurance coverage of County Law Library policies was referred to the next meeting.

Re Statutes.

The matter of extra copies of Statutes for County Libraries was reported upon and a letter submitted whereby it is intimated that two copies of the Ontario Statutes will be sent to each library but the Department of Public Printing at Ottawa were unable to accede to our request. The matter was left to Mr. H. A. Aylen, K.C. to make further enquiries at Ottawa.

Re Northumberland Law Association.

A letter from Mr. Willmott of Cobourg regarding the situation of the Northumberland Law Association was read and considered and it was directed that the annual grant of $94.00 be placed to the credit of the Association on the understanding that it would not be paid out without the approval of the Chairman of the Committee and the Chief Librarian, after having a satisfactory understanding with the Northumberland Association as to the handling of their financial affairs.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE RE INCREASED GRANTS TO COUNTY LIBRARIES.

The Treasurer read the Report of the Committee as presented to Convocation on the 19th May, 1938.

Mr. Marshall moved the adoption of the Report.

Moved in amendment by Mr. Fuller, seconded by Mr. Seymour, that the Report of the Committee, together with the memorandum prepared by Mr. Shaver be referred to the County Libraries Committee for consideration and report.

THE AMENDMENT WAS CARRIED

MEMORIAL TO THE LATE GEORGE F. HENDERSON, K.C.

Mr. Aylen presented the report of the Special Committee appointed to prepare a Memorial of the late George Frederick Henderson, K.C. and it was ordered that it be recorded on the Minutes of Convocation.

Convocation records with deep regret the death on the 27th day of July, 1938, of George Frederick Henderson who, in 1921, had been elected a Bencher and who, in the year 1936, became a life Bencher.

George Frederick Henderson was born at Kingston, Ontario, on the 17th day of February, 1864, a son of Peter Robertson Henderson, Managing Director of the Montreal Transport Company and Henrietta Sweetland. He was educated privately and later attended Kingston Collegiate Institute and Queen's University where he obtained his Bachelor of Arts degree in 1884. He was sworn in as a Solicitor in 1887 and was Called to the Bar during the Trinity term of 1889. Throughout his career at the Bar he practised in the City of Ottawa and finally became the senior member of the present legal firm of Henderson, Herridge, Gowling & MacTavish. At the time of his death he was recognized as the leader of the Ottawa Bar.

In addition to his career as a Barrister the late Mr. Henderson was well known throughout the Province as Drainage and Natural Gas Referee. He was made Drainage Referee for Eastern Ontario in 1906 and for the whole Province in 1909. In 1925 he also became Natural Gas Referee. He was also the author of a handbook of procedure under the Ditches and Water Courses Act.

In spite of his many other duties Mr. Henderson found time to take a great interest in the affairs of his profession. He was President of the County of Carleton Law Association during the years 1907 and 1908 and was Honorary Life President at the time of his death. He was a Member of the Council of the

Canadian Bar Association and was made Ontario Vice-President of that organization in the year 1923.

The fact that he was a Director of the Ottawa Electric Railway Company, the Ottawa Traction Company, the Ottawa Light, Heat and Power Company and many other companies and President of the Ottawa Board of Trade during the years 1900 and 1901 indicates how often his advice was sought in business as well as professional matters.

During the latter part of his career at the Bar the late Mr. Henderson took a particular interest in members of the junior Bar and was ever ready and willing to give them the benefit of his advice and experience.

A keen sportsman, he was both a golfer and a curler of note. He was President of the Canadian British Royal Caledonia Curling Association during the years 1923 and 1924; in fact in his adopted City of Ottawa there was scarcely an activity in which he was not interested, if not directly concerned.

Convocation desires to express its esteem for the many and varied talents of the late George Frederick Henderson and to extend to the members of his family its sincere sympathy.

SPECIAL COMMITTEE RE PRIVY COUNCIL APPEALS.

Mr. Geary presented the report of the Committee, as follows:

To the Benchers of the Law Society of Upper Canada in Convocation assembled—

Your Special Committee appointed to consider the matter of Appeals to the Privy Council and the maintenance or abolition thereof, begs leave to report as follows:

The basis of our law (other than in the Province of Quebec) is the law of England and it is in England that the principles of this system of law are most firmly established and best understood. The appeal to the Judicial Committee of the Privy Council now provided tends to keep our jurisprudence in harmony with the jurisprudence of Great Britain and the Empire, and, undoubtedly, has its part in maintaining the sense of union of the component parts of the Empire.

We live beside a great nation of one hundred and thirty-five million people and are irresistibly and naturally affected by the development, culturally and otherwise, of that nation. To sever the connection that exists between our judicial system and the British judiciary would increase the tendency to be so affected and so would be detrimental to the maintenance of those British traditions in the administration of justice which have had so large a part in building up the world over respect for British institutions.

In the opinion of your Committee, it would not be the part of wisdom to sacrifice the great advantages to Canada of the right of appeal to the Privy Council because of any growth in the status of Canada as a self-governing Dominion or in the importance of her affairs. It is a unique quality of our Empire that it has been able from time to time to adapt its constitutional practices to the inevitable changes within the Empire, and it should be no impossible task for our Statesmen to devise ways and means suited to the times for preserving to the Dominion this highest Court of Appeal, so that its undeniable benefits to the Dominion may be enjoyed in harmony with the fullest measure of self-government.

Your Committee has noted the contention that the right of appeal to the Privy Council has been abused by the rich to shut out the poor. This has been considered carefully by the Committee and it does not appear that there is substance to the contention; on the other hand the records indicate that in several cases impecunious plaintiffs have taken appeals to the Privy Council either in *forma pauperis* or otherwise, and succeeded in reversing the judgment of lower courts. Moreover, a survey of the cases indicates that there is no foundation for the suggestion that the litigant who is financially strong is in any way in a preferred position before the Judicial Committee.

Exception has been taken to judgments of the Privy Council in constitutional cases. Frequently that objection is founded on a predilection in favour of either the Dominion or Provincial point of view. It is to be observed that the recent judgments of the Privy Council which appear to have been the immediate cause of the discussion in the last Session of the House of Commons did not reverse the decisions of the Supreme Court of Canada.

Your Committee points out that, while lawyers generally have a keen interest in the maintenance of the appeal to the Judicial Committee because of its steadying influence on our jurisprudence, comparatively few lawyers have been immediately concerned in cases in the Privy Council. There are large sections of the Province of Ontario, for instance, from which no appeal has ever been taken to the Privy Council. It cannot be truly said that the feeling of lawyers on this matter is based on self-interest.

Your Committee recommends that Convocation go on record as being opposed to the abolition of the appeal to the Privy Council.

THE REPORT WAS ADOPTED

MOTIONS.

RE RULE 61(2) AND (3).

At the request of Mr. Shaver, consideration of the proposed amendments to the above rule was deferred until the next meeting of Convocation.

RE RULE 60.

At the request of Mr. Sweet, consideration of the proposed amendments to the above rule was deferred until the next meeting of Convocation.

RE HAROLD GRAHAM MEIR.

The Treasurer presented a letter from Messrs. Dancey & Bolsby, enclosing a petition for reinstatement as a Barrister and Solicitor of Harold Graham Meir, who was struck off the Rolls on the 19th of May, 1938.

On motion of Mr. White, the petition was referred to the Discipline Committee for consideration and report.

CORRESPONDENCE.

The Treasurer referred to correspondence with Government House, Ottawa, with reference to the formal opening of the new wing.

ORDERED that the correspondence be filed.

The Treasurer read a letter from the County of York Law Association with reference to the serving of luncheons in Osgoode Hall.

ORDERED that the letter be referred to the Finance Committee for consideration.

The Treasurer read a letter from Mr. J. R. Marshall with reference to obtaining certificates of Notaries' qualification from the Provincial Secretary instead of the County Courts Offices as formerly.

ORDERED that the matter be referred to a Special Committee to be appointed by the Treasurer.

The Treasurer appointed the following Special Committee herein—Messrs. Bullen, Davis and Walsh.

Mr. White referred to the practice of Transfer Agents requiring the production of authenticated copies of letters probate for the transfer of shares belonging to an estate.

ORDERED that the matter be referred to the above Special Committee consisting of Messrs. Bullen, Davis and Walsh.

CONVOCATION THEN ROSE.

R. S. ROBERTSON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH NOVEMBER, 1938.

PRESENT—Sir William Mulock, and Messrs. Bullen, Carson, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, Marshall, Mason, Middlebro, Roebuck, Seymour, Shaver, Smith, G. L., Sweet and Walsh.

In the absence of the Treasurer, Mr. W. S. Middlebro, K.C. was appointed Chairman.

The Minutes of the meeting of Convocation of the 20th October, 1938, were read and confirmed.

ELECTION OF BENCHER.

Moved by Mr. G. L. Smith, seconded by Mr. Denison, and carried that the election of a Bencher to fill the vacancy caused by the death of the late Mr. H. D. Smith, K.C. be transferred to the end of the order of proceedings.

The Chairman informed Convocation of the death on the 14th November, 1938, of Gideon Grant, K.C. of Toronto.

ORDERED that Convocation record in the Minutes the expression of sincere regret of the Benchers on the death of Mr. Grant, sometime a Bencher of this Society.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	I. GRADUATES	DATE
1.	Samuel Michael Benedetto	26th August, 1938.
2.	Rory Finbar Egan	14th September, 1938.
3.	Geoffrey Sydney Gilroy	15th October, 1938.
4.	William Dennis Jordan	15th September, 1938.
5.	William Robert Ross Learmonth	1st October, 1938.
6.	Joseph Macklin Priddle	18th October, 1938.
7.	Thomas Peter Scandiffio	1st October, 1938.
8.	William Lloyd Shortreed	9th September, 1938.
9.	Alexander Pentland Tisdall	6th September, 1938.

Approved.

CALL TO THE BAR AND CERTIFICATE OF FITNESS—Special.

Gerald Douglas Loucks having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Saskatchewan has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

RE COUNTY OF CARLETON LAW ASSOCIATION.

Convocation referred to the Committee for consideration and report, letters of the Association of January 18th and March 25th, 1938, with reference to matters of Legal Education. The Committee referred the matter to the Chairman and his memorandum is now before the Committee.

The Committee recommends that the memorandum be approved and reported to Convocation.

SPECIAL PETITIONS.

The Committee reported upon several special petitions by students asking for special relief and made recommendations in connection therewith.

Paul Phillips asks that his name on the Rolls and records of the Society be changed from "Pincus Phillips" as at present, to the above. A notarial copy of a deed poll, dated the 17th day of May, 1927, and duly entered on the 6th day of June, 1927, is submitted.

The Committee recommend that the petition be granted.

On motion of Mr. Denison the report, except as to the County of Carleton Law Association letter, *was adopted,* and it was ordered that the matter stand for further consideration.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

MONTHLY STATEMENT—October, 1938.

The usual monthly statement was presented.

RE BARRISTERS AND SOLICITORS IN ARREARS.

The Committee received and considered a list of members in arrears as of the 17th October, 1938, prepared by the Society's auditor.

RE PORTRAITS.

The Committee recommends the purchase of a portrait of Chief Justice Rowell by Sir Wyly Grier, R.C.A.

THE REPORT WAS ADOPTED

BUILDING COMMITTEE REPORT.

Mr. G. L. Smith reported briefly on the work of the new wing and furnishing and on the plans for the extension of the Great Library in the West wing.

THE REPORT WAS ADOPTED

MOTIONS.

RE RULES 61(2) AND (3).

Mr. Shaver having given due notice, moved, seconded by Mr. Walsh, as follows:

> That Rule 23 be suspended;
>
> That Rule 61(2) be amended by adding after the word "Association" in the second line thereof the following words "except the County of York Law Association" so that the said subsection (2) will read as follows:
>
> "61(2). Subject to the provisions of Rule 64 the total amount paid to any Association except the County of York Law Association in any year shall not exceed $1,500.00."
>
> That Rule 61 be amended by adding a new subsection (3) to read as follows:

"(3) Subject to the provisions of Rule 64 the total amount paid to the County of York Law Association in any year shall not exceed $2,000.00."

THE MOTION WAS CARRIED

Moved by Mr. Shaver, seconded by Mr. Walsh, and *carried* that a Special grant of $500.00 be made to the County of York Law Association for the year 1938.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar:

1. Ronald Burr Baxter.
2. William Stuart Forrester.
3. Robert Weld Mitchell (with Honours).
4. John Richard Brimage.
5. Murray Yuffy.
6. Terrence Fleming Flahiff.
7. George Francis Denison Goldring.
8. William Lyle Moore.
9. Norman Lickers.
10. Carl Roswold Watson.
11. James Kenneth Hunter.
12. Grover Morris Murdoch.
13. Osmond Jennings Rowe.
14. Solomon Shniffer.
15. Malcolm Stewart Smith (with Honours).
16. Arthur Walter Adams White.
17. Irving Himel.
18. Frederick John Parry.
19. Gerald Douglas Loucks (Special—Saskatchewan).

DISCIPLINE COMMITTEE REPORTS.

RE HARRY JOHN MACDONALD.

In the absence of the Chairman, Mr. Dunbar presented the report of the Discipline Committee herein, and moved its adoption.

The Solicitor attended and addressed Convocation.

The report of the Discipline Committee in the Matter of Harry John Macdonald, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Harry John Macdonald guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

THAT the said Harry John Macdonald be disbarred.

THAT the said Harry John Macdonald is unworthy to practise as a Solicitor.

RE JOSEPH GRAEME HOOD.

In the absence of the Chairman, Mr. Dunbar presented the report of the Discipline Committee.

ORDERED that the report be received and that a further charge be laid against the solicitor for refusing and neglecting to reply to letters from the Society with reference to matters of discipline.

ORDER.

The Secretary placed before Convocation the following Order:

RE JOSEPH GRAEME HOOD—Order suspending from practice for two months.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

Mr. Mason reported that the Committee had dealt with several matters which would be reported to Convocation when concluded.

LIBRARY COMMITTEE REPORT.

The Vice-Chairman, Mr. Geary, presented the report.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Northumberland Law Association.

The Chairman reported progress in dealing with the affairs of this Association.

Re Insurance.

The matter of the wording of insurance coverage on County Libraries stands referred to the next meeting.

Re Increased Grants to County Law Associations.

The Committee referred the question of increased grants to County Libraries to a sub-committee composed of the Chairman, and Messrs. Shaver, Sweet, and Fuller.

THE REPORT WAS ADOPTED

MEMORIAL TO THE LATE H. D. SMITH, K.C.

The Chairman appointed Messrs. Seymour and Rodd a Special Committee to prepare a Memorial to the late Herbert D. Smith, K.C.

MOTION.

Re Rule 60.

At the request of Mr. Sweet consideration of the proposed amendments to the above rule was deferred until the next meeting of Convocation.

The Chairman referred to the suggestion that the Society present a Loyal Address to Their Majesties on the occasion of their visit to Toronto.

Ordered that consideration of this matter stand until the next meeting of Convocation.

CORRESPONDENCE.

The Chairman read a letter from the family of the late H. D. Smith, K.C. expressing their thanks for the expression of sympathy sent by the Benchers.

Ordered that the letter be received and filed.

The Chairman referred to a letter from the Honourable Chief Justice Rose presenting to the Society on behalf of Mrs. J. H. Moss of Toronto, a photograph taken in 1860 of the then Prince of Wales with others, and a framed ticket of admission to the Reception given by the Law Society in honour of the Prince of Wales on September 8th, 1860.

A suitable acknowledgment having been made by the Treasurer, IT WAS RESOLVED that Convocation gratefully accept the presentations by Mrs. Moss.

Convocation then adjourned until the 19th day of January, 1939, to complete the unfinished business.

MEETING OF CONVOCATION adjourned from the 17th November, 1938, until to-day to complete unfinished business.

THURSDAY, 19TH JANUARY, 1939.

PRESENT—The Honourable Hugh T. Kelly, and Messrs. Aylen, Bullen, Carson, Davis, Denison, Dunbar, Fuller, Geary, Hellmuth, Hughes, Kerr, King, Marshall, Middlebro, McCarthy, McCrea, McRuer, Price, Roebuck, Seymour, Shaver, Sims, Sinclair, Slaght, Smith, Sweet, and White.

Mr. G. L. Smith, K.C. was appointed Chairman.

ELECTION OF BENCHER.

Mr. James Aloysius McNevin, K.C. was elected a Bencher to fill the vacancy caused by the death of the late H. D. Smith, K.C.

D. L. McCARTHY,

Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH JANUARY, 1939.

PRESENT—The Honourable Hugh T. Kelly, and Messrs. Aylen, Bullen, Carson, Davis, Denison, Dunbar, Fuller, Geary, Hellmuth, Hughes, Kerr, King, Marshall, Middlebro, McCarthy, McCrea, McRuer, Price, Roebuck, Seymour, Shaver, Sims, Sinclair, Slaght, Smith, Sweet, and White.

Mr. G. L. Smith, K.C. was appointed Chairman.

The Chairman read a letter from Mr. R. S. Robertson tendering his resignation as a Bencher and as Treasurer of the Law Society of Upper Canada as of 3rd January, 1939.

ORDERED that the resignation be accepted with regret.

The Minutes of the meeting of Convocation of 17th November, 1938, were read and confirmed.

ELECTION OF TREASURER.

Moved by Mr. Middlebro, seconded by Mr. Kerr, and carried unanimously, that *Mr. D'Alton Lally McCarthy, K.C.* be elected, pursuant to Rule 34(1), to fill the office of Treasurer until the next regular election.

The Treasurer then took the chair and briefly addressed Convocation.

ELECTION OF BENCHER.

Mr. Ward Wright, K.C. was elected a Bencher to fill the vacancy caused by the appointment of Mr. R. S. Robertson as Chief Justice of Ontario.

COMMITTEES.

On motion, Mr. J. A. McNevin, K.C. was appointed a member of the following committees—Library, Unauthorized Practice and County Libraries.

Moved by Mr. Smith, seconded by Mr. Denison, and unanimously carried—

That in accepting Mr. Robertson's resignation as Treasurer, rendered necessary by his elevation to the Bench, Convocation takes this, its first opportunity to place on record its appreciation of his services rendered not only in his capacity as a Bencher, but in the various offices which he filled as Acting Chairman, and Chairman of the Discipline Committee, and later as Treasurer of the Law Society.

In spite of his many other activities, The Honourable Mr. Robertson took upon himself his full share of the duties attaching to the various offices which he held, and by his devotion and ability, he has contributed greatly to the welfare not only of his profession, but also to that of the public which the legal profession seeks to serve.

Convocation adopts at this, its earliest opportunity, this method of expressing its appreciation for the services rendered by the Chief Justice and unanimously wishes him happiness and success in his new and important office.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	I. GRADUATES	DATE
1.	Edgar Frank Bastedo	11th November, 1938.
2.	John Hunter Campbell	11th November, 1938.
3.	Frederick Harry Ganz	20th September, 1938.
4.	Gordon Lachlan Heron	26th October, 1938.
5.	Eugene Lazar	11th November, 1938.
6.	Norval Close Norton	28th October, 1938.
7.	William Miller Wismer	11th November, 1938.

Approved.

EXAMINATION RESULTS—Christmas, 1938.

Third Year.

The record of the returns of the examiners of the Christmas examinations for the Third Year is submitted herewith.

Approved.

RE COUNTY OF CARLETON LAW ASSOCIATION.

Convocation referred to the Committee for consideration and report letters of the Association of July 18th, and March 25th, 1938, with reference to matters of legal education. The Committee referred the matter to the Chairman and his memorandum was before the Committee on November 16th, 1938, and was approved and reported to Convocation. At the meeting of Convocation of the 17th November, 1938, it was ordered that the matter stand for further consideration.

The Committee again recommends that the memorandum be approved and reported to Convocation.

RE ORAL EXAMINATIONS—Rule 132A.

The question of arrangements for holding these examinations was before the Committee for consideration and a letter from the President of the Osgoode Hall Legal and Literary Society was submitted.

The Committee has during the past three months considered how best to carry out the oral examinations of students into the experience which they gain under their articles. The Dean, the Secretary and a Committee of students have been consulted and the following considerations are submitted—

1. The opportunities afforded to students to gain experience under articles varies so greatly that any such examination must have regard to this feature.

   There is no doubt that the prospect of such an examination will lead students to take this important element in their training more seriously, but it is hoped that when the new rules are in full operation they will result in the profession lending its assistance towards reducing the inequalities in office training which at present are so marked and which (however they may be reduced by the co-operation of Solicitors) must to some extent remain.

2. Your Committee believe that some actual experience is necessary before definite regulations can be laid down for carrying out the new rules in their entirety and therefore recommend that for the current school term the examinations be confined to the third year and that the results obtained be used as a guide in formulating such regulations for the future.

3. Your Committee suggests that this third year oral examination be held in the month of March or earlier if possible. That it be conducted by a Board, consisting of one member of your Committee, and two or three examiners, the latter being chosen with a view to the diverse kinds of experience in office practice with which it may be assumed that students have become familiar. The Benchers sitting not necessarily to be the same each day, and to act, of course, without fee; the Examiners to be paid; a fee to be arranged as provided by Rule 132A.

4. As there are 110 students in the third year it may be expected that the examination this year would last about four days of about six hours each day.

5. The examination, being largely experimental and for future guidance, it is suggested that no examination fee be charged to the students this year and that a good deal of leniency be shown towards those examined without formally waiving the requirement that students must satisfy the examiners of their efforts to avail themselves of any office experience open to them.

RE BOOK-KEEPING EXAMINATION.

A letter from the President of the Osgoode Hall Legal and Literary Society suggesting certain changes with reference to these examinations was before the Committee.

The Committee recommends that no change be made at the present time in the regulations for these examinations as adopted by Convocation.

SPECIAL PETITIONS.

The Committee reported upon several special petitions by students asking for special relief and made recommendations in connection therewith.

MEMORANDUM RE COUNTY OF CARLETON LAW ASSOCIATION CORRESPONDENCE.

On January 18th, 1938, a resolution of this Association was sent to the Secretary of the Law Society with a letter describing the resolution as "deploring the failure of the Law Society of Upper Canada to effectively deal with the problem of restricting the numbers of practising lawyers." The resolution is attached to this report. It also deals with a memorandum in the form of a report by Messrs. Aylen and Urquhart, dated November 26th, 1936.

This latter memorandum along with the resolution of the Carleton Law Association and a motion introduced by Mr. Urquhart (now the Honourable Mr. Justice Urquhart) made on May 21st, 1936, and some other similar resolutions were dealt with by the Legal Education Committee who saw no occasion for altering the present system and so reported to Convocation. The Association through its Secretary wrote on March 25th, 1938, enclosing a copy of a resolution of the same date, also attached to this report, which stated—"That if no immediate favourable consideration is given by Convocation to the resolution respecting legal education passed at the last meeting of this Association and subsequently submitted to Convocation, the Association should consider what steps should be taken to obtain the necessary action through the Legislature of the Province of Ontario." After some correspondence with Mr. Aylen (also attached) this matter was again referred to the Legal Education Committee.

The resolution of the County of Carleton Association is only one of a number of resolutions and communications in favour of enacting some more drastic provisions regulating the admission of students to The Law Society. Nearly all these suggestions refer to the desirability of "raising the standard" of admission but in almost every instance their primary purpose is to limit or reduce competition. The desire to "raise the standard" is generally a secondary consideration.

With regard to the report of Messrs. Aylen and Urquhart it is to be noted that that report, while still advocating graduate standing for admission to the Society recognizes the difficulty of attaining the object desired by this means and deals (1) with the admission of Matriculants, and (2) the lengthening of the term of service under articles. It may be convenient to refer to these three topics (1) University standing (2) Matriculation requirements, and (3) lengthening the term of service under articles. The report itself was sent to every member of the Legal Education Committee soon after its receipt.

Before, however, discussing its proposals it may be well to point out again that while they are all proper subjects for the consideration of the Legal Education Committee if treated solely from the standpoint of the education of the student; yet on the other hand this Committee is not charged with reducing competition within the profession. It is solely for Convocation to say how many shall practise law; it is not within the scope of this Committee's duties to use its powers for that purpose. The Committee is concerned with pre-legal education as subsidiary to its main purpose of supervising the education of students when admitted to the Society which after all is its main and much its most important duty.

(1) *As to University Standing.*

It has long been the rule in Ontario to show special consideration to graduates by requiring only 3 years service under articles. All others are required to serve 5 years. It was only in 1926 that the Law Society abandoned the old rule admitting also those who had Matriculation standing, by requiring from them two years college training following a practice advocated in the United States, but not universally adopted there. This restriction upon admission was followed on April 5th, 1927, by a statute providing that no rule of the Law Society thereafter made should have force or validity or be dispensed with unless approved by the Lieutenant-Governor-in-Council. The Statute was in 1928 amended by restricting the powers of the Government over changes in the rules to those "affecting the admission of students-at-law or the call or admission of barristers or solicitors." The two-year college requirement became somewhat anomalous when the University of Toronto made its pass course a three-year course and in any case the provision did not appear to reduce the number of those seeking admission nor had it resulted in any marked change in the academic standing of candidates for admission. It was accordingly repealed on May 19th, 1932, and on March 29th, 1932, the Legislature had repealed the Statute, which made changes in rules respecting admission to the Society subject to Order-in-Council.

This subject was fully discussed and most carefully considered by the Committee which published its report in February, 1935, a report which by the way is perhaps the only one prepared in Canada after face to face conferences with lawyers, judges, students and teachers and which also included correspondence with and personal enquiries made into the system of teaching in England and the study of systems of teaching in the United States.

(2) *As to Matriculation Requirements.*

From 1932 to 1935 Matriculants were only required to obtain 50 per cent. of the marks in certain specified subjects in Upper and Middle School but on February 21st, 1935, this requirement was raised to 60 per cent. and every paper must be written. Recommendations of principals are not accepted. Messrs. Urquhart and Aylen suggest the acceptance of recommendations for honour standing but this feature had been fully investigated by the Dean and the Chairman, the Deputy Minister and certain principals had been interviewed, the method of making recommendations had been actually inspected in the books kept by the Department and a full report had been made to your Committee who however after a full discussion decided not to ask Convocation to change the existing system and Convocation adopted this report.

It may be pointed out in passing that the Law Society has been frequently asked to accept these recommendations and while it cannot be stated as a fact, it is a fair inference that a strict adherence to our rule has had some effect in limiting the number of Matriculants who apply for admission to the Society. Attached to this report is a comparative statement showing the number of graduates and matriculants in the Law School since 1932. During the years prior to 1937 the proportion of Matriculants (which at first included those who had taken the two-year college course) was substantial, but during the last two years while our rules have been operating in all their strictness the number of Matriculant entrants has been for 1937—9, as against 92 graduates, and for 1938—8 (including 2 repeats) as against 110 graduates (including 5 repeats). Apparently students would rather take the comparatively easy pass Arts course in a University than actually write and obtain 60 per cent. of the marks in both Middle and Upper School subjects.

(3) *Lengthened Service.*

This was recommended by Messrs. Urquhart and Aylen. It would have required some statutory amendments but the subject along with some other topics of a similar nature were referred to a sub-committee and studied carefully, a report was in fact submitted suggesting amongst other things a longer period of service under articles. The Committee however after considering the matter was opposed to the proposal which in fact found but little favour amongst the members. A circular and the subsequent report of the sub-committee on this topic is attached hereto. Lately Convocation has passed rules providing for improving service under articles by a system of oral examinations.

Increase in Fees.

Convocation in April, 1933, raised the Students' admission fee from $51.00 to $101.00 and Law School fees from $100.00 to $150.00 which also has probably served to deter some persons from entering the Society. It might be mentioned also that certificates of character are now required and the scrutiny of these certificates is not by any means perfunctory.

It is probable that if the County of Carleton Law Association had had an opportunity of studying the work done by the Law Society in recent years and had also been aware of the danger of losing control over admission to our Society, which not only threatened but actually became a reality in 1927, it would not have felt that its views had been ignored.

Also when one considers the ease with which graduation can now be attained, the immense mass of University students who win diplomas and the low standard of real education which some of them seem to have reached when they come to the Law School; it may yet become important to consider whether some better test of pre-legal education should not be demanded than a mere pass arts degree. It is quite possible that a hard-working student who has won 60 per cent. in both Middle and Upper School by actually writing his papers and not depending on recommendations will make a more promising student than many of the pass arts graduates.

On motion of Mr. Denison the *report was adopted* including the above memorandum with reference to the County of Carleton Law Association correspondence, *and it was ordered* that a copy of the memorandum (with appendices) be sent to the Association.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar—

1. Paul Dufresne.
2. William Eric Wasley.
3. William Shub.
4. Byron Wesley Rich.

FINANCE COMMITTEE REPORT.

Mr. Smith.

Monthly Statements—November and December, 1938.

The usual monthly statements were submitted.

THE REPORT WAS ADOPTED

BUILDING COMMITTEE REPORT.

Mr. Smith reported briefly on the conclusion of the work of the new wing and on plans for the extension of the Great Library in the west wing.

THE REPORT WAS RECEIVED

DISCIPLINE COMMITTEE REPORTS.

Re Robert Alexander Patchell.

At the request of the Chairman Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Robert Alexander Patchell, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Robert Alexander Patchell guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Robert Alexander Patchell be disbarred.

THAT the said Robert Alexander Patchell is unworthy to practise as a Solicitor.

RE GEORGE HOWARD GRAY.

At the request of the Chairman, Mr. Carson presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend but was represented by Mr. A. A. Macdonald, K.C. who addressed Convocation.

The report of the Discipline Committee in the matter of George Howard Gray, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said George Howard Gray guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said George Howard Gray be suspended from practice as a Barrister and Solicitor for the period of One year from the 19th day of January, 1939.

RE OPENING OF NEW WING.

The Treasurer referred to the correspondence with the Secretary to His Excellency The Governor-General with reference to the formal opening of the new wing.

Messrs. Carson and McRuer spoke with reference to requests by members of the profession at large that a formal ceremony be held.

ORDERED that the matter be referred to the Treasurer to take up further with His Excellency.

Convocation adjourned at 1.20 p.m.

MEETING RESUMED AT 2.20 P.M.

In the absence of the Treasurer, Mr. Smith was appointed Chairman.

DISCIPLINE COMMITTEE REPORTS (continued).

RE CANADA BONDED ATTORNEY AND LEGAL DIRECTORY LIMITED.

In the absence of the Chairman, Mr. Dunbar presented the report of the Discipline Committee herein, as follows:

To the Benchers of the Law Society of Upper Canada in Convocation assembled—

In the matter of an enquiry requested by the Canada Bonded Attorney and Legal Directory Limited (hereinafter called "the Company").

The Discipline Committee begs leave to report as follows:

On May 15th, 1938, your Committee reported to Convocation upon the subject of Solicitors dividing fees with the above Company and by the authority of Convocation a notice was published in 1938 Ontario Weekly Notes, No. 23, p. XI, as follows:

> "For the attention of all Members of the Society.
>
> "The attention of Convocation has been called to the fact that certain Solicitors are in the habit of splitting fees with a Company known as the Canada Bonded Attorney and Legal Directory Limited. Apparently some doubt exists in the minds of the members of the profession as to the propriety of this practice and the ethics of such arrangements. Convocation takes this opportunity of calling the attention of the profession to the fact that in a matter investigated by the Discipline Committee, Convocation was of the opinion that practice of this nature is to be regarded as professional misconduct and conduct unbecoming a Barrister and a Solicitor."

This notice not only resulted in a good deal of correspondence with Solicitors who had had relations with the Company but the Company itself asked leave to explain its methods in order to demonstrate if possible that Solicitors acting in co-operation were not open to any charge of impropriety in so doing. Your Committee thought that this request should be granted both in fairness to the Company and also in the interests of the many

Solicitors who appear to have entered into relations with it. The matter was therefore opened on October 6th, adjourned on October 21st, and heard at length on November 10th, 1938, the following members of the Committee being present on this last occasion—D. L. McCarthy (chairman) and Messrs. Bullen, Carson, Denison, Dunbar, Mason, McRuer, Sinclair, and White. Mr. T. Haldane Wickett appeared for the Company and the Messrs. Wharton (Senior and Junior) officers of the Company, were also present. Mr. Wickett having filed a memorandum upon the methods of the Company also verbally explained these methods fully as they affected the Solicitors who acted in making collections on behalf of customers of the Company.

The point chiefly discussed arose out of the nature of the contracts signed by Solicitors who undertook collections sent to them by creditors through the recommendation of the Company.

The Solicitors obtained these recommendations through the insertion of their names in a book periodically issued by the Company to merchants who by paying $25.00 received the book and also a set of forms for making collections, first by attempting to collect themselves by the use of the forms of demand for payment supplied by the Company, and, failing success by this method, then by employing the local Solicitor whose name appeared in the book issued. A system of bonding has been arranged by the Company whereby a creditor thus employing a recommended Solicitor may consider himself protected in case the Solicitor collects but does not remit. Your Committee did not investigate this system.

For the recommendation which the Solicitor obtains he either pays the Company a flat fee of $25.00 (an option rarely availed of) or he signs an agreement (an option generally accepted) whereby he agrees with the Company *inter alia* "to keep record of all business received through these mediums (the Company and a subsidiary known as B.B.B. Limited), to render a statement and to remit to you as the money is paid or upon your request one-third of all money earned on business coming to us through the above mentioned mediums. For greater certainty in interpreting this agreement moneys earned shall include the commissions on moneys collected—whether with or without suit —and amounts received by us for repossession of goods but shall not include suit fees and counsel fees in the Division Court and any fees that are taxable against the other party in the County or Supreme Courts. Nor shall it include moneys received for reports given to subscribers."

The rate of commission to be charged the creditor is based on a sliding scale set out in the book supplied both to creditors and the Solicitors. Two features of this remuneration were discussed (1) where suit was brought and both the claim and party and party costs were recovered. In this case the Solicitor kept the party and party costs and deducted his commission according to the agreed commission remitting one-third of the commission to the Company and (2) where apart from any recovery of party and party costs, the Solicitor either with or without suit recovers the claim or some part of it and deducts the appropriate commission before remitting to the creditor. In this case also one-third of the appropriate commission is paid to the Company.

In the first instance where suit is brought and both claim and party and party costs were recovered it was admitted by the Solicitor for the Company that the commission thus deducted was in the nature of Solicitor and client costs and that these costs were divided between the Solicitor and the Company. In the second case the point made for the Company is that the commission charged is not in the nature of Solicitors' fees, that any one may act as a collection agent and charge commissions and for a Solicitor to do so is only what any other collection agent may do. The distinction sought to be made is apparently between a Solicitor's remuneration which may be described as costs, and his remuneration when he and others not lawyers collect accounts and charge what is then called commission. Your Committee is unable to recommend the adoption of this view. If a Solicitor divides any remuneration which he receives in the ordinary course of his practice as a Solicitor with someone not a Solicitor then whether such remuneration is called "fees" or "costs" or "commission" and whether it is the reward of litigation conducted by the Solicitor or the result of his efforts carried on without suit in the ordinary course of his practice as a lawyer, the division of such remuneration with a layman as payment for introducing the business is something which Convocation has already condemned in the two instances referred to in your Committee's report dated May 15th, 1938. Your Committee therefore see no occasion for departing from the statement already published and quoted on page one of this Report.

During the discussion of this subject it was suggested that for a Solicitor and client to agree that part of the fruits of litigation shall if recovered belong to the Solicitor is in the nature of champerty and it was pointed out that whereas the Solicitors Act provides for a contingent fee in non-litigious business, similar fees are not validated in the case of litigation. R.S.O. 1937, ch. 223, sec. 60.

Your Committee came to no decision upon this point but suggest that it is a matter deserving of the serious consideration of the profession.

All of which is respectfully submitted.

Dated the 15th day of November, 1938.

"D. L. McCARTHY,"
Chairman.

THE REPORT WAS ADOPTED

ORDERED that a summary of the report be printed in the Ontario Weekly Notes and a copy of the summary be sent to all Ontario Solicitors whose names appear on the list as printed by the Canada Bonded Attorney and Legal Directory Limited.

ORDER.

The Secretary placed before Convocation the following Order:

RE HARRY JOHN MACDONALD—Order Striking off the Rolls.

REPORTING COMMITTEE REPORT.

MR. HUGHES.

THE REPORT WAS ADOPTED

LIBRARY COMMITTEE REPORT.

Mr. Geary, the vice-chairman, presented the report.

CHIEF LIBRARIAN'S REPORT.

The Chairman presented the annual report for 1938 of the Chief Librarian on the Great Library and the Phillips Stewart Library.

The Committee recommends that the report be referred to Convocation.

THE REPORT WAS ADOPTED

CHIEF LIBRARIAN'S REPORT.

Mr. Geary presented the report of the Chief Librarian.

THE REPORT WAS RECEIVED

COMMITTEE ON UNAUTHORIZED PRACTICE REPORT.

In the absence of the Chairman, Mr. King presented the report.

The Committee has had under consideration a number of complaints of unauthorized practice and Mr. Blackwell, the Special Investigator, has been instructed to make certain further investigations. The Committee will on conclusion of these investigations report further to Convocation.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Annual Grants, 1939.

The following County Law Associations having filed their annual returns for the year 1938 in accordance with Rule 62, the Committee therefore reports to the Finance Committee that having complied in all other respects with the requirements of the rules adopted from time to time by Convocation in relation to County Law Libraries, recommend the payment of said annual grants, as follows:

Brant	$ 680.00
Bruce	221.33
Cochrane	263.33
Dufferin	306.51

Elgin	$510.00
Frontenac	660.00
Grey	305.33
Haldimand	333.03
Hamilton ($1,645.00) maximum	1,500.00
Hastings	435.67
Huron ($360.81 less $25.00 re loan)	335.81
Kenora	266.67
Kent	800.00
Lambton	605.67
Lincoln ($840.00 less $100.00 re loan)	740.00
Middlesex ($1,448.00 less $50.00)	1,398.00
Nipissing	280.00
Norfolk	320.00
Ontario	540.00
Oxford	357.67
Perth ($578.00 less $50.00 re loan)	528.00
Peterboro	543.27
Rainy River ($230.00 less $25.00 re loan)	205.00
Simcoe	357.93
Temiskaming	306.67
Welland	810.00
Wellington	529.17
Northumberland	95.00
Stormont	290.00
	$14,524.06

LAMBTON LAW ASSOCIATION.

An application for a special grant of $250.00 by the Lambton Law Association was considered and was referred to the Special Committee on Grants to County Libraries.

BRANT LAW ASSOCIATION.

A deputation was heard from the County of Brant requesting a special increased grant. This application was also laid over to be considered by the Special Committee on Grants to County Libraries.

GOVERNMENT GRANTS.

It was reported that the Department of the Attorney-General had advised that the question of grants to County Libraries would be passed at the next Council meeting. Representations had been made to restore the grants to at least the amount of the grants prior to 1934, but the Government has not yet intimated what it intends to do. 42 libraries were reported to the Government as entitled to share in the grant.

NORTHUMBERLAND LAW ASSOCIATION.

The Chairman reported that settlement had been effected by this Association of the judgment of Burroughs & Company and that the execution had been withdrawn and that this Association seemed to be gradually improving its position.

THE REPORT WAS ADOPTED

The Chairman read a letter from the Lincoln County Law Association with reference to Law Society grants to County Law Associations.

Ordered that the matter be referred to the County Libraries Committee for consideration.

MEMORIAL TO THE LATE H. D. SMITH, K.C.

Mr. Seymour presented the report of the Special Committee appointed to prepare a Memorial of the late Herbert David Smith, K.C. and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to his family.

Convocation records with deep regret the death, on November 2nd, 1938, of Herbert David Smith, a Bencher of this Society.

Herbert David Smith was born at Ridgetown, Ontario, on the 12th day of November, 1866, the son of Dr. Jacob Smith and Elizabeth Smith. He was educated at the Ridgetown Public School and Collegiate Institute and at Osgoode Hall. Called to the Bar in Trinity Term in 1893, and having been sworn in as a solicitor on the 12th day of September, 1893, he returned to Ridgetown to practise law.

On June 5th, 1895, he was married to Beulah Hay of Ridgetown and of that union there were two children, M. G. Smith who is practising law in the City of Chatham, and Francis H. H. Smith who is practising law in the City of London.

He lived in Ridgetown until his appointment on July 12th, 1902, as Crown Attorney for the County of Kent, when he then moved to the City of Chatham and practised there until the time of his death. He became one of the best known Crown Attorneys in the Province of Ontario, having held the position for some thirty-six years.

He was particularly active in the affairs of his profession, being the President of the Kent County Law Association for many years. He was appointed one of His Majesty's Counsel on the 19th December, 1921, and was first elected a Bencher on the 16th February, 1928, being re-elected in the years 1931 and 1936.

He joined the 24th Kent Regiment as an officer in or about the year 1903 and was appointed to the command of that Regiment in 1913. This Regiment was re-organized after the War and is now known as the Kent Regiment (Machine Guns). Upon the outbreak of War, Colonel Smith offered his services and was very active in recruiting of the detachment which went from Chatham in the 1st Battalion C.E.F. After this detachment was recruited, he was offered the appointment of General Staff Officer of Military District No. 1 with headquarters at London. He accepted this appointment and went to London early in 1915 and remained as General Staff Officer until the end of the War. As such he was responsible for the training of all the troops which went through London and among the well known Battalions of infantry which were trained under him were the 18th, 33rd, 70th, 71st, 91st, 149th, 186th, 241st and others, as well as batteries of artillery and other arms. During his War service he was a military member of several important Courts Martial and investigations.

He was a member of St. Andrews Church in Chatham when it was a Presbyterian Church and subsequently when it became a United Church and for many years was a member of its Board of Managers. He took a great interest in and was President of the Kent County Children's Aid and was also Vice-President of the Sutherland-Innes Company of Chatham.

Convocation desires to express its esteem for the many and varied talents of the late Herbert David Smith and to extend to the members of his family its sincere sympathy.

Mr. Kerr spoke of a recent visit with Mr. W. N. Ponton and reported on his recovery from his recent accident.

Ordered that the Secretary convey to Mr. Ponton an expression of the sympathy of the Benchers in his recent illness their hope for his speedy and complete recovery, and congratulations and good wishes on his approaching eighty-fifth birthday.

MOTION.

Re Rule 60.

At the request of Mr. Sweet, consideration of the proposed amendments to the rule was deferred to the March meeting of Convocation.

The Chairman referred to the suggestion that the Society present a Loyal Address to Their Majesties on the occasion of their visit to Toronto, which matter stands from November Convocation.

Ordered that the matter be referred to the Treasurer and Secretary for consideration and report.

CORRESPONDENCE.

The Chairman read a letter from the County of York Law Association with reference to the special grant for 1938 and the amendment of Rule 61.

Ordered that the letter be received and filed.

The Chairman read a letter from the Attorney-General with reference to the Survey of the Administration of Justice in Ontario.

The Treasurer appointed the following Special Committee herein—Mr. Mason (chairman) the Treasurer and Messrs. Carson, Fuller, McRuer, Seymour, Slaght, and White.

The Chairman referred to a letter from Mr. L. A. Landriau, K.C. with reference to The Guild of Our Lady of Good Counsel.

Ordered that the matter be referred to Mr. White for consideration and report.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 16TH FEBRUARY, 1939.

PRESENT—The Treasurer, Sir William Mulock, The Hon. Hugh T. Kelly, and Messrs. Aylen, Bullen, Carson, Conant, Davis, Denison, Dunbar, Fuller, Gordon, Hellmuth, Kerr, Marshall, Mason, Middlebro, McCrea, McNevin, McRuer, Rodd, Roebuck, Seymour, Shaver, Sims, Slaght, Smith, White and Young.

The Minutes of the adjourned meeting of 17th November, 1938, and the Minutes of the meeting of Convocation of 19th January, 1939, were read and confirmed.

COMMITTEES.

On Motion, MR. WARD WRIGHT, K.C. was appointed a member of the following committees—Finance, Legal Education, Discipline, and Reporting.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

EXAMINATION RESULTS—Christmas, 1938.

First and Second Years.

The record of the returns of the examiners of the Christmas examinations for the First and Second Years is submitted.

Approved.

RE CASE BOOKS—Personal Chattels.

The Committee recommends that a contract for 300 volumes of the above case book, as amended by Mr. Horace E. Read, the Dean, and Mr. A. A. Macdonald, K.C. be awarded to Bates Letter Service.

RE ORAL EXAMINATIONS—Rule 132A.

The Committee recommends that the dates for the oral examinations of the Third Year on Office practice and the appointment of examiners be referred to the Chairman with power to act with the recommendation that the examinations be held before the end of March.

SPECIAL PETITIONS.

The Committee reported upon several special petitions by students asking for special relief and made recommendations in connection therewith.

LILLIAN SANDLER asks that her name on the Rolls and records of the Society be changed from Lillie Sandler to Lillian Sandler.

The Committee recommend that the petition be granted.

SAMUEL D. ELLIS asks that his name on the Rolls and records of the Society be changed from Samuel D. Ellenberg as at present to the above. A deed poll dated 4th February, 1938, was duly entered on 1st March, 1938.

The Committee recommend that the petition be granted.

JOSEPH L. ADDISON asks that his name on the Rolls and records of the Society be changed from Joseph L. Adelberg as at present to the above. A deed poll dated July, 1938, was duly entered on the 21st July, 1938.

The Committee recommend that the petition be granted.

MR. DENISON MOVED THE ADOPTION of the report.

Moved in amendment that Messrs. Addison and Ellis, applicants for change of name on the Society's Rolls and Records be asked to appear before Convocation to state their reasons for the requested changes.

The amendment was carried.

THE REPORT AS AMENDED WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENT—January, 1939.

The usual monthly statement was submitted.

THE REPORT WAS ADOPTED.

Mr. Smith reported briefly on the plans for the proposed Extension of the Great Library in the West Wing.

On motion it was ordered that the Treasurer appoint a Special Committee to replace the Special Committee appointed on 20th January, 1938, to consider the appointment of a new Librarian.

The Treasurer appointed the following Special Committee herein—Messrs. Smith, Young, Mason, Marshall, Carson, and Shaver.

DISCIPLINE COMMITTEE REPORTS.

MR. DUNBAR.

ELECTION OF CHAIRMAN.

Mr. C. L. Dunbar, K.C. was elected Chairman.

THE REPORT WAS ADOPTED.

RE PHILIP DAVIDSON.

Mr. Dunbar presented the report of the Discipline Committee herein.

The Solicitor attended with his counsel, Mr. Salter Hayden, K.C. who addressed Convocation.

Mr. Dunbar moved the adoption of the report.

Moved in amendment by Mr. Roebuck, seconded by Mr. Mason, that the report of the Discipline Committee be amended by substituting for the punishment recommended, suspension for a period of six months and that the report as amended be adopted.

The amendment was defeated.

The report of the Discipline Committee in the matter of Philip Davidson, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Philip Davidson guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Philip Davidson be suspended from practice as a Barrister and Solicitor for the period of one year from the 16th day of February, 1939.

RE HAROLD GRAHAM MEIR.

Mr. Dunbar presented the report of the Discipline Committee herein.

On Motion of Mr. Dunbar the report was adopted and it was ordered that the Petitioner be reinstated as a Barrister and Solicitor.

ORDERS.

The Secretary placed before Convocation the following Orders—

Re R. A. Patchell—Order Striking off the Rolls.

Re G. H. Gray—Order suspending from practice for one year.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MASON.

RE PATENT AGENTS.

The report of the sub-committee was approved and the Committee recommend that the following resolution referred to in the report should be placed before Convocation—

> "That Convocation disapproves of the use by patent agents who are not barristers or solicitors, of the designation 'Patent Counsel' 'Patent Attorney' and 'Patent Solicitor', and that the Secretary communicate with the Law Societies of other Provinces and the Canadian Bar Association suggesting that they consider similar resolutions."

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ANNUAL GRANTS, 1939.

The following County Law Associations have fyled annual returns for the year 1938 since the 19th of January and the Committee therefore reports to the Finance Committee that having complied in all other respects with the requirements of the rules adopted from time to time by Convocation relative to County Law Libraries, recommend the payment of the said Annual Grants as follows:—

Carleton ($1,680 maximum)	$1,500.00
Essex ($2,226.67 maximum)	1,500.00
Lanark, $286.67 less $50 loan	236.67
Lindsay, $500 less $50 loan	450.00
Prescott and Russell	106.67
Thunder Bay	241.67
Leeds and Grenville	457.62
	$4,492.63

RE GOVERNMENT'S GRANT.

The Chairman reviewed the previous correspondence and explained that the Government estimates would be considered shortly and it was recommended that all the county libraries be communicated with suggesting that they write the Attorney-General urging an increase in the Government grant to at least the amount previous to 1934, namely $4,000.00.

COUNTY LIBRARY CATALOGUES.

The Chief Librarian reported that 19 county libraries Associations had at his request filed copies of their library catalogues or supplementary catalogues.

RE WELLAND LAW ASSOCIATION.

A letter was read from W. S. Martin on behalf of the Welland Law Association requesting information as to the attitude of the Law Society with regard to the plan of the Welland County Law Association to incorporate, without share capital, under the Companies Act, under the name of County of Welland Bar Association, with wider objects such as protecting and developing the interests of Barristers and Solicitors, and promoting honourable practice, etc., but also including the maintaining of their present law library.

The Committee recommend that the Welland Law Association should comply with Rule 58 as to name, and also comply with the other provisions of that section as to maintenance of library, etc., and that any incorporation for other purposes should be kept separate.

APPLICATIONS FOR SPECIAL GRANTS—BRANT AND LAMBTON LAW ASSOCIATIONS.

The Chairman reported that consideration of these grants had been postponed pending the report of the Special Committee to consider the Special Grants in aid of Law Associations.

RE INSURANCE ON COUNTY LIBRARIES.

A report by Colonel Sweet on coverage endorsements on insurance policies was submitted and the Secretary was directed to send copies of this report to all members of the County Libraries Committee for consideration at the next meeting of the Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE INCREASED GRANTS (LAW SOCIETY) TO COUNTY LIBRARIES.

Mr. Marshall presented the report of the Special Committee, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled—

The Special Committee re Increased Grants to County Libraries, begs leave to report as follows:—

1. The Special Committee recommends that the County Libraries Committee be authorized to make plans to be approved by Convocation for aiding this year such county libraries as may be recommended to an amount not exceeding $1,500.00 over and above the regular grants to the various Associations under the rules.

2. The Special Committee also recommends that Rule 60 be amended by increasing the maximum of the annual grant to $25.00 per member, subject to the provisions of Rule 61 paragraphs 2 and 3.

THE REPORT WAS ADOPTED.

RE LOYAL ADDRESS TO THEIR MAJESTIES.

The Treasurer reported on his inquiries in this matter and on possible arrangements for the presentation.

Ordered that the matter be referred to the Treasurer for further inquiry and necessary action.

RE PROPOSED LEGISLATION.

The proposed amendments to the Law Society Act and the Solicitors Act were considered clause by clause.

Moved by Mr. White, seconded by Mr. Mason, that the proposed legislation be referred for re-editing to a Committee to be named by the Treasurer.

Moved in amendment by Mr. Slaght, seconded by Mr. Gordon, that no further action be taken with reference to the proposed legislation at the present time but that the Committee to be appointed have power to act if there is introduced at the next session of the Legislature any legislation that requires the attention of the Society.

The motion as amended was carried.

The Treasurer appointed the following Special Committee herein—the Chairmen of the Standing Committees, Messrs. Smith, Denison, Hughes, Dunbar, Young, Mason, and Marshall.

Convocation adjourned at 1 p.m.

Meeting resumed at 2.30 p.m.

RE THE GUILD OF OUR LADY OF GOOD COUNSEL.

The correspondence herein and a memorandum by Mr. White were considered.

ORDERED that the Secretary reply to the letter of Mr. L. A. Landriau, K.C. advising him that Convocation approves of the purposes of The Guild of Our Lady of Good Counsel—the legal services of the Guild being rendered always to persons actually indigent, and on the understanding that Convocation is not passing upon the right to collection of party and party costs in any individual case.

CORRESPONDENCE.

The Treasurer read a letter of thanks from The Honourable The Chief Justice of Ontario for the expression of appreciation by Convocation of his services while a Bencher.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Sir William Mulock expressing his thanks for the flowers sent by the Benchers on the occasion of his ninety-fifth birthday.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Mr. W. N. Ponton, K.C. expressing his appreciation of the flowers and good wishes of the Benchers on the occasion of his eighty-fifth birthday.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 16TH MARCH, 1939.

PRESENT—The Treasurer and Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Hon. W. A. Gordon, Hays, King, Marshall, Middlebro, McCrea, McNevin, Seymour, Sinclair, Smith, Sweet, Walsh, White, and Young.

The Minutes of the meeting of the 16th February, 1939, were read and confirmed.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

MONTHLY STATEMENT—February, 1939.

The usual monthly statement was presented.

RE ARREARS OF ANNUAL FEES.

A list of Solicitors who have not taken out their annual certificates for 1938-39 was submitted.

A list of Barristers who have not paid their Bar fee for 1938-39 was submitted.

THE REPORT WAS ADOPTED.

RE LUNCHEONS—OSGOODE HALL.

Moved by Mr. Walsh, seconded by Mr. Hays, and carried, that arrangements for serving luncheons at Osgoode Hall for the convenience of the members of the profession be proceeded with forthwith, including the making of the necessary alterations and purchase of the necessary equipment, on the understanding that the Society accepts no responsibility to the caterer as to the success or otherwise of the undertaking.

RE ARREARS OF FEES.

On motion of Mr. Smith, Convocation resolved that no recommendations be made in this matter in view of the proposed legislation.

RE PROPOSED LEGISLATION.

Moved by Mr. Dunbar, seconded by Mr. Middlebro, and carried, that the proposed amendments as approved by the Special Committee and by Convocation be submitted to the Legislature and that the Attorney-General be requested to present a Bill embodying the amendments.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENT.

The following student is entitled to be admitted as a student-at-law as of the date of filing her application—

I. GRADUATE	DATE
1. Elsie Teasdall	23rd February, 1939.

Approved.

CALL TO THE BAR AND CERTIFICATE OF FITNESS—Special.

HECTOR HUGH GILCHRIST having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Alberta has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

RE ORAL EXAMINATIONS.

The Chairman reported on the plans made for the Oral Examinations on office practice of students of the Third Year. The examinations will be held on the 20th, 21st, 22nd, and 23rd of March and the Board of Examiners will hold three sessions each day—11 a.m. to 1 p.m., 2 p.m. to 4 p.m., and 8 p.m. to 10 p.m. One or more Benchers will sit at each session of the Board and Mr. W. W. Davidson, K.C. and Mr. Salter Hayden, K.C. have kindly consented to act as honorary examiners.

The Committee recommends that the plans for the examination be approved.

SPECIAL PETITIONS.

The Committee reported upon several special petitions by students asking for special relief and made recommendations in connection therewith.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar—

1. Hector Hugh Gilchrist (Special—Alberta).

RE CHANGE OF NAME.

Messrs. J. L. Addison and S. D. Ellis who had been asked to appear before Convocation to state their reasons for the requested changes, were unable to attend and it was ordered that the matter stand until the next meeting of Convocation.

Mr. McCrea and the Honourable Mr. Gordon spoke with reference to the legislation as to change of name in other jurisdictions.

Moved by Mr. McCrea, seconded by Mr. White, and carried, that the matter be referred to a Committee to be appointed by the Treasurer.

The Treasurer appointed the following Special Committee herein—Messrs. Dunbar, Gordon, McCrea and White.

DISCIPLINE COMMITTEE REPORT.

RE WILLIAM BERNARD MCHENRY.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not appear nor was he represented by counsel.

The Report of the Discipline Committee in the matter of William Bernard McHenry, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said William Bernard McHenry guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said William Bernard McHenry be disbarred.

That the said William Bernard McHenry is unworthy to practise as a Solicitor.

RE AMBULANCE CHASING.

Mr. Dunbar read to Convocation some recent correspondence from a member of the Toronto Bar with reference to this subject.

Moved by Mr. Walsh, seconded by Mr. King, and carried, that the correspondence with reference to ambulance chasing and all questions arising out of the same, be and are hereby referred to the Discipline Committee to make all necessary enquiries and to take all necessary steps regarding the matter, with power to employ such person or persons as they may deem advisable and to take such action or proceedings as may be necessary.

ORDER.

The Secretary placed before Convocation the following Order—

Re Philip Davidson—Order suspending from practice for one year.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman, Mr. Middlebro presented the report.

RE PATENT AGENTS.

In pursuance of the instructions of the Committee and of Convocation, the Secretary wrote to the Law Societies of the other provinces, to the Canadian Bar Association, and to the Institute of Patent agents with reference to the resolution disapproving of the use by Patent agents of the designations "Patent Counsel", "Patent Attorney" and "Patent Solicitor" and reports satisfactory progress in the negotiations for the discontinuance of such terms.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

At the request of the Chairman, Mr. Hays presented the report.

ANNUAL GRANTS, 1939.

The following County Law Associations have filed annual returns for the year 1938 since the February meeting of Convocation and the Committee therefore reports to the Finance Committee that having complied in all other respects with the requirements of the rules adopted from time to time by Convocation relative to County Law Libraries, payment of annual grants is recommended as follows:

Sudbury	$ 361.34
Waterloo	395.38
York ($2,456.00 by Rule, Nov., 1938)	2,000.00
	$2,756.72

The total amount of annual grants paid to date, including the above, is $21,753.72.

There are three Associations which have not filed returns—Sault Ste. Marie, Renfrew and Parry Sound.

RE GOVERNMENT GRANTS.

A letter was submitted from the Attorney-General's Department stating that the Government could not see its way clear to increasing the government grant. It is recommended that the matter be taken up again at the November meeting to consider further application for increase.

RE PURCHASE OF BOOKS.

The Chief Librarian was instructed to provide all County Libraries with lists of books submitted to the Great Library Committee for consideration and indicating those acquired by the Great Library Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE APPOINTMENT OF LIBRARIAN.

THE TREASURER.

The Committee recommends that consideration of the appointment of a Librarian be deferred until some definite plans are put forward with reference to the extension of the Great Library.

THE REPORT WAS ADOPTED.

RE RULE 60.

Pursuant to Notice of Motion duly given and to the report of the Special Committee on Increased Grants to County Libraries, dated 16th February, 1939, Mr. Sweet moved, seconded by Mr. Fuller—

That Rule 23 be suspended;

That Rule 60 be amended by substituting in line eleven thereof the words "Twenty-five" for the word "Twenty".

THE MOTION WAS CARRIED.

RE LOYAL ADDRESS TO THEIR MAJESTIES.

The Treasurer reported on his further enquiries in this matter and read the correspondence therein.

Ordered that the matter be referred to the Treasurer for further enquiry and necessary action.

RE TERM DINNERS.

The Treasurer read the correspondence and a memorandum with reference to this matter.

Moved by Mr. Sweet, seconded by Mr. Seymour, and carried, that Convocation approve of the holding of term dinners and referred the matter to the Treasurer with power to act and with power to appoint a Special Committee to make the necessary arrangements.

Moved by Mr. Carson, seconded by Mr. Hays, and carried, that the question of holding term dinners for Third Year students of the Law School be referred for consideration and report to the Legal Education Committee.

RE PRIVATE BILL.

The Secretary reported a Private Bill before the Legislature to authorize the Society to admit to practice AURELIEN BELANGER.

Moved by Mr. White, seconded by Mr. McNevin, and carried, that Mr. Denison and the Honourable Mr. Gordon be appointed, with power to add or substitute other Benchers, to interview the Attorney-General to enslist his aid in having the Bill withdrawn, and to appear on behalf of the Society before the Private Bills Committee to oppose the reporting of the Bill.

CORRESPONDENCE.

The Treasurer read a letter from Mrs. W. Merion Vickers, offering to present to the Society a portrait of her father, the late M. H. Ludwig, K.C. sometime Treasurer of this Society.

Ordered that Convocation accept with grateful thanks the presentation by Mrs. Vickers.

The Treasurer announced the death on the 21st February, 1939, of The Honourable James H. Spence, K.C., sometime a Bencher of this Society, and on March 14th, 1939, of The Honourable George H. Sedgewick, K.C., a Bencher of the Society *ex officio,* and it was ordered that an expression of the sincere regret of the Benchers be recorded on the Minutes.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH APRIL, 1939.

PRESENT—The Treasurer, and Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Hon. W. A. Gordon, Hays, Hellmuth, Kerr, King, Marshall, Mason, Middlebro, McCrea, Roebuck, Seymour, Sinclair, Smith, Sweet, and Young.

The Minutes of the meeting of the 16th March, 1939, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

RE LECTURERS—PART-TIME.

Mr. A. R. Clute, K.C. will relinquish the subject of Mortgages, third year, at the end of the present term but desires to retain the subjects of Criminal Law (first year) and Sale of Goods (second year). The Dean recommends that Mr. Clute be reappointed as lecturer in Criminal Law and Sale of Goods for one year from May 31st next at two-thirds of his present salary.

The Dean also recommends that the other part-time lecturers be reappointed at their present salaries for one year from May 31st next.

The Committee recommends that the appointments as recommended by the Dean be approved and confirmed.

RE LECTURER—MORTGAGES—THIRD YEAR.

The appointment of a lecturer to succeed Mr. Clute was before the Committee for consideration, and also certain proposed changes in the scope of the lectures on Mortgages.

The Committee asks authority to advertise and make the appointment forthwith, at an annual salary of $800.00.

RE ORAL EXAMINATIONS.

The Chairman verbally reported on the Oral Examination of Third-year Students on Office Practice and will present a further written report to Convocation.

RE DINNER TO THIRD-YEAR STUDENTS.

At the meeting of Convocation on March 16th last it was moved and carried that the question of holding a dinner for Third-year Students of the law school be referred for consideration and report to the Legal Education Committee.

The Committee recommends as an experiment the holding of a Dinner for the present Third-year Students on Friday, May 5th next.

RE PHILLIPS STEWART LIBRARY.

The Law School students having requested that the Phillips Stewart Library be kept open for their use from 6 to 10.30 p.m. to allow further study hours in preparation for examination.

The Committee recommends that the library be kept open these hours until the end of the May examinations and that the student in charge be paid on the same basis as the night librarians of the Great Library.

THE REPORT WAS ADOPTED.

RE CHANGE OF NAME.

Messrs. J. L. Addison and S. D. Ellis, applicants for change of name on the Society's Rolls and Records, appeared before Convocation and stated their reasons for the requested changes.

On motion of Mr. Denison it was ordered that that part of the report of the Legal Education Committee, dated 14th February, 1939, with reference to the above applicants, be adopted.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

MONTHLY STATEMENT—March, 1939.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORT.

RE RICHARD GLADSTONE WILKINSON.

Mr. Dunbar presented the report of the Discipline Committee herein, and moved its adoption.

The Barrister did not appear nor was he represented by counsel.

Mr. Dunbar read a letter from the Barrister dated April 18th, 1939, with reference to certain statements in the Committee's report.

The Report of the Discipline Committee in the matter of Richard Gladstone Wilkinson, Barrister, a member of this Society was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Richard Gladstone Wilkinson guilty of professional misconduct and of conduct unbecoming a Barrister-at-law in respect of the charges dealt with by the said Report.

That the said Richard Gladstone Wilkinson be disbarred.

ORDER.

The Secretary placed before Convocation the following Order:

Re William Bernard McHenry,—Order Striking off the Rolls.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

The report of the Treasurer on a recent visit to certain American libraries was read.

The Committee recommend that the report be referred to Convocation.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE CHANGE OF NAME.

MR. McCREA.

The Committee after its appointment was pleased to learn that the Honourable the Attorney-General, following the meeting of Convocation of the 16th March, had interested himself in this matter and proposed to introduce a Bill in this behalf.

The Committee met with Mr. Eric Silk, K.C., Legislative counsel, and Mr. Terence Flahiff of the Attorney-General's Department and discussed the proposed Bill at length. After agreeing on the general principles of the Bill the Committee made suggestions which were duly considered and incorporated in the draft.

The Bill has been introduced and is now before the Legislature.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar—

1. Vernon Howard Little.

RE LOYAL ADDRESS TO THEIR MAJESTIES.

The Treasurer reported on his further inquiries and referred to the correspondence in this matter and stated that there was no possibility of arranging for His Majesty's Call to the Bar or election as an Honorary Bencher, or for presenting Their Majesties in person with a loyal address.

The Treasurer referred to the possibility of making arrangements for the attendance of Judges of the Supreme Court of Ontario and their wives and the Benchers and their wives at the presentation to Their Majesties at the Parliament Buildings on May 22nd, 1939.

The Treasurer asked for an expression of the opinion of Convocation on the decoration of the Society's buildings on the occasion of the Royal visit.

Moved by Mr. Mason, seconded by Mr. Hellmuth, and carried that all matters relating to the Royal visit be referred to the Treasurer and Messrs. Smith and McCrea with power to act.

RE TERM DINNERS.

The Treasurer reported on the arrangements for the first Term Dinner on April 21st, 1939.

Ordered that a second Term dinner, open to all members of the profession, be held on Thursday, May 18th, 1939.

RE LUNCHEONS, OSGOODE HALL.

The Treasurer reported on the attendance of the members of the profession at the lunch room and stated that having met with the approval of Convocation and members of the profession, it would be continued until the end of June and if conditions warranted it, it would be reopened in September.

RE PRIVATE BILL—AURELIEN BELANGER.

The Treasurer reported on behalf of Mr. Denison and the Honourable Mr. Gordon, who were appointed by Convocation to oppose this Private Bill, that the Treasurer and Mr. Denison had appeared before the Private Bills Committee and opposed the Bill on behalf of the Society but that the Committee had reported the Bill without change to the Legislature.

Moved by Mr. Mason, seconded by Mr. Marshall, and carried that the Ontario section of the Canadian Bar Association be requested to pass a resolution setting forth the position of the profession with reference to legislation providing for admission to practice of persons not duly qualified, and that such resolution and a resolution from Convocation be placed in the hands of the Prime Minister and the Attorney-General well in advance of the next session of the Legislature.

RE O. E. FLEMING, JR.

The Treasurer read a letter from O. E. Fleming, Jr., Barrister and Solicitor of Windsor, requesting the removal of his name from the Rolls and Records of the Society.

Moved by Mr. Dunbar, seconded by Mr. McCrea, and carried that the request be granted subject to the Solicitor's filing with the Society his undertaking not to practice as a solicitor or engage in any business which involves the handling of trust funds.

RE PORTRAIT—THE LATE M. H. LUDWIG, K.C.

The Treasurer reported that the portrait of the late M. H. Ludwig, K.C. sometime Treasurer of this Society, presented by his daughter, Mrs. W. Merion Vickers, had been received and was now hanging in Convocation Room.

Convocation again recorded its grateful thanks for this presentation by Mrs. Vickers.

RE LAW SOCIETY AMENDMENT ACT, 1939.

The Treasurer reported that this Act embodying the amendments as approved by the Special Committee herein and by Convocation had been passed by the Legislature.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

Thursday, 18th May, 1939.

Present—The Treasurer, The Hon. Hugh T. Kelly, and Messrs. Carson, Hon. G. D. Conant, Davis, Denison, Dunbar, Fuller, Kerr, Marshall, Middlebro, McNevin, McRuer, Roebuck, Shaver, Sims, Sinclair, Smith, Sweet, Walsh and Young.

Mr. G. L. Smith was appointed Chairman.

ELECTION OF TREASURER.

Mr. D. L. McCarthy, K.C., was elected Treasurer for the ensuing year and thereupon took the chair.

The Minutes of the meeting of the 20th April, 1939, were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES.

The following Standing Committees were appointed to hold office until May, 1940:

Finance—Sir Allen Aylesworth and Messrs. J. M. Bullen, C. F. H. Carson, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, J. C. McRuer, W. F. Nickle, G. L. Smith, Edmund Sweet, Peter White, McGregor Young, Ward Wright.

Legal Education—H. A. Aylen, C. F. H. Carson, A. G. Davis, J. S. Denison, Hon. G. R. Geary, F. D. Kerr, G. W. Mason, W. S. Middlebro, J. C. McRuer, W. F. Nickle, G. N. Shaver, H. J. Sims, G. L. Smith, Ward Wright, Peter White, McGregor Young.

Reporting—C. F. H. Carson, J. S. Denison, Hon. F. J. Hughes, J. R. Marshall, T. G. Meredith, J. C. McRuer, M. A. Seymour, W. E. N. Sinclair, A. G. Slaght, G. L. Smith, Edmund Sweet, G. T. Walsh, Ward Wright, McGregor Young.

Discipline—J. M. Bullen, C. F. H. Carson, A. G. Davis, J. S. Denison, C. L. Dunbar, I. F. Hellmuth, Hon. F. J. Hughes, G. W. Mason, W. S. Middlebro, J. C. McRuer, G. N. Shaver, W. E. N. Sinclair, A. G. Slaght, G. L. Smith, Ward Wright, Peter White, McGregor Young.

Library—J. M. Bullen, C. F. H. Carson, J. S. Denison, H. E. Fuller, Hon. G. R. Geary, F. D. Kerr, Francis King, G. W. Mason, W. S. Middlebro, Charles McCrea, J. A. McNevin, G. G. McPherson, G. N. Shaver, H. J. Sims, W. E. N. Sinclair, G. L. Smith, G. T. Walsh, McGregor Young.

Unauthorized Practice—H. A. Aylen, Sir Allen Aylesworth, J. S. Denison, Hon. W. A. Gordon, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, J. A. McNevin, J. C. McRuer, W. N. Ponton, M. A. Seymour, H. J. Sims, A. G. Slaght, G. T. Walsh.

County Libraries—H. A. Aylen, H. E. Fuller, Hon. W. A. Gordon, R. C. Hayes, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, T. G. Meredith, W. S. Middlebro, J. A. McNevin, W. F. Nickle, W. N. Ponton, J. H. Rodd, M. A. Seymour, G. N. Shaver, H. J. Sims, G. L. Smith, Edmund Sweet, Peter White, McGregor Young.

APPOINTMENT OF AUDITOR.

Mr. R. J. Dilworth, F.C.A., of Messrs. Clarkson, Gordon Dilworth & Nash, Chartered Accountants, was appointed auditor of the Society for the period of one year from the 1st June, 1939.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENT.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application—

I. GRADUATE	DATE.
1. Leo John Gent	13th April, 1939.

Approved.

CALL TO THE BAR AND CERTIFICATE OF FITNESS—Special.

Frank Hubert Bailey having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Saskatchewan has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

RESULTS OF EXAMINATIONS FOR MATRICULANT STUDENTS—Classes I and II.

A record of the returns of the examiner (the Dean) of the special examination for Matriculants—Class I on Marriott's English Political Institutions—Class II on Kennedy's Constitution of Canada, is submitted herewith.

Approved.

RE APPOINTMENT OF LECTURER.

MORTGAGES AND SALES OF LAND—THIRD YEAR.

The Committee recommends the appointment of Mr. John C. Thomson, K.C., as lecturer in Mortgages and Sales of Land for a period of one year from the 1st of June, 1939, at a salary of $800.00 per annum.

RE ORAL EXAMINATIONS—THIRD YEAR.

The Committee refers to Convocation a report of the Chairman and Board of Examiners.

REPORT OF THE BOARD OF EXAMINERS.

These examinations proceeded on March 20th, 21st and 22nd from 11 to 1, 2 to 4, and 8 to 10.30 on these days and were concluded between 11 and 1.45 on March 23rd. During these periods 111 students were orally examined.

A schedule had been arranged allowing an average of 10 minutes for each examination but in fact the average was slightly longer and this longer average was only achieved by close concentration upon the work. It is due to the students to say that the work was greatly facilitated by their cheerful co-operation with those examining.

The Examining Board consisted of the Honorary Examiners and the Chairman of the Legal Education Committee who were present throughout (except that Mr. Hayden had to leave by late train on the night of the 22nd). The Treasurer, present during most of the first two days, Messrs. W. E. N. Sinclair and A. G. Davis, who came to town each for a two-hour session, Mr. Sweet, who came from Brantford for the evening session of March 22nd and the final session on March 23rd, Mr. McGregor Young, and Mr. Carson who was present twice.

The Chief Justice of Ontario manifested his interest in the work by being present as a spectator during part of the afternoon session on March 22nd and in this way lent encouragement to the Board in performing a somewhat laborious duty.

By the authority of the Treasurer a stenographer was present throughout the proceedings. Four copies of the transcript were made available and have been perused and one of these copies accompanies this report. No examination fee was charged to the students owing to the experimental nature of this initial enquiry.

The Honorary Examiners, who conducted most of the enquiries, had prepared in advance typical questions of a practical nature designed to show what knowledge the student has acquired of the way in which matters arising in every day office work were carried on. Each student was examined with the Secretary's file before the Board and his standing at the last Christmas examination was consulted.

The questions addressed to each student differed according to the opportunities afforded to him to become acquainted with various branches of practice. To illustrate their practical nature they included enquiries into the students knowledge of disbursements which he should pay for registering and filing documents and how much he should pay for probate fees, etc., with the reminder to him that as he was paying clients' money he should know enough to see that his client did not pay more than he should. In the same way enquiries were made into the student's knowledge of the offices and courts in which various kinds of work were transacted. They also extended into the proper method of conducting legal work and were often very valuable in enabling one to see how far the student had applied what he learnt in the Law School to what he had to do in the office. It was noticeable that many students described more confidently and concisely what they had actually done than what they had been merely taught to do in lectures.

This is no reflection upon the lectures but is an example of the advantage which anyone derives from actually doing an act as distinguished from merely learning about it.

No attempt was made to award marks to each student but a classification was arranged called "A", "B", "C" and "no rating". "A" stood for an accurate acquaintance with matters with which the student had opportunity to become familiar. "B" showed a less accurate for fairly complete acquaintance with such subjects and to further differentiate this class the term "B" was sometimes employed. "C" denoted an acquaintance limited and inaccurate but existing having regard to the student's opportunities; and "no rating" signified either that the advantages derived from office practice were almost non-existent or that the student had been devoting himself to some occupation very remotely connected with the general practice of law, and had acquired no experience outside that limited field. In this last category were several students of evident industry and ability who had been earning money in some public employment. They seemed to be quite capable of performing the duties entrusted to them but they had almost no experience of the general work of a lawyer.

There were 111 members of the Third year class and every one attended for examination (a somewhat remarkable record.) The following is the result—

A	17	
B+	9	36
B	27	
C	44	
No rating	14	
	111	

Of those in the "C" and "no rating" classes, composing 58, or more than one-half of those examined, perhaps one-half showed an aptitude for acquiring experience and a desire to do so, but their opportunities were limited either by the nature of the work they had engaged in or by the fact that the offices in which they were articled could offer only a very limited scope for gaining experience. There is no doubt also that the bad times have limited greatly the amount of work to be had in many offices and also have made it necessary for the students to take any work for which they could get paid, and financial considerations made it necessary for them to keep on with the same work (for instance collections) rather than to attempt to find varieties of experience without regard to the remuneration they might receive. In better times no doubt a much better showing would result both from a greater volume of work and from the students' greater ability to seek experience rather than remuneration.

Only a small minority of the students had not worked in offices during the Law School term and very few appear to have left law for other gainful employment or for holidays during the months of June, July, August and September when the Law School was not in session. Most students had holidays during the summer months but not for any excessive periods and the time taken out of office to prepare for examinations at Easter and Christmas was smaller than had been expected. A system is growing in the larger offices of allowing students leave on alternate days or weeks before the examinations amounting as a rule to about two weeks or ten days in all.

Probably owing to a general dearth of work the student is not usually asked to assume much responsibility. In real estate transactions so important to those beginning to practice, it was found that students were asked to list the registered documents but not as a rule to prepare an abstract in any form that might be described as a Solicitor's abstract.

A striking test used in a number of cases was to hand to the student an ordinary surveyor's sketch of a house on a parcel consisting of parts of two lots. Only a few of those asked could dictate from it a description sufficient for a deed and it is feared that in any search adequate for a proper Solicitor's abstract there would be great danger of defects in the description of the parcels being overlooked. A curious and rather lamentable feature was that a number of students did not know whether a seal was necessary or unnecessary on a deed, will, land titles transfer or discharge.

In litigation also the absence of experience in work involving responsibility was very marked. A few students had taken a few Division Court cases in court. Not many asked had actually settled orders or taxed costs though many either had taken the steps leading to these operations or had learnt how to do them.

Most of the students showed an acquaintance with the various Court offices in which work was transacted and had a good deal of acquaintance with the officials with whom such work was transacted, and many showed a fair degree of familiarity with the various steps taken in litigation though it would appear that much of their knowledge was gained from lectures rather than from actually doing the work. There was not much evidence that students were in the habit of following a transaction through from beginning to end either in real estate, company work or litigation. Much of the work done was based on a request by the Solicitor to do some isolated thing or look up some isolated point of law. Probably in busier times more responsibility would be thrown upon the student and he would have more of the invaluable experience to be gained from actually carrying through under the supervision of the Solicitor a piece of litigation or a real estate transaction. Much more benefit could be gained even from the fragmentary type of work which so often falls to the lot of the student if he with the assistance of his principal were to refer more frequently to the Statute or rule by which the work he is doing is governed and if he with the assistance of the Solicitor could follow the subsequent steps taken, as a result of some matter of routine which the student had been asked to take. For example it would greatly benefit a student if he could be present with his Solicitor when the latter closes a real estate transaction even if the student is not given the responsibility of doing this himself. Another simple illustration occurs where the student looks up some point of law for an opinion. In such a case he should always see the opinion when written and his principal should see that he does so.

Numerous questions were asked about the experience of students in Company work, Surrogate Court practice and Criminal procedure, and enquiries were made of any experience gained in matters of bulk sales, conditional sales, overholding tenants (an important branch in these days of tenants on relief) and foreclosure. A good deal of experience had been had in foreclosure proceedings, a number had assisted in preparing papers for probate; practice in criminal proceedings evidently does not fall to the lot of many students, though one or two were rather striking exceptions. Experience in Mining law was very limited and there was practically no experience in the important taxation Acts such as the Succession Duty Act, the

Income Tax Act and Corporation Tax Act, though some were aware from experience of the operation of the Succession Duty Act and Corporation Tax Act as constituting a charge on real estate.

At this time when various taxing statutes affect so many species of property and must be considered in carrying out so many transactions, a closer acquaintance with the main taxing statutes would seem to be desirable.

While the examinations were conducted to find out what the students had learnt by experience, it is hoped that they may have profited also to some extent at least by learning something of the quite simple points which those conducting the examination had found it necessary to have at their fingers ends for the purpose of carrying on their own practice of the law.

The rules provide for an examination of students after their first year in an office and no doubt if questions of a similar practical type are put to them in an early period of their office work it will be a most helpful guide to them in seeking experience in the later years of their service under articles.

A list is attached to this Memorandum showing how each student was classified.

The following concrete suggestions are offered as the result of this Oral examination—

1. Though the system of office training might generally speaking be much improved, it is quite apparent that even under present conditions it forms a valuable part of the student's preparation for the practice of his profession.

2. These oral examinations are not only valuable because they lead the student to take more seriously such work as he finds to do in his office but also because questions asked by Solicitors who have themselves practised for years bring forcibly to the attention of the student some of the numerous problems of a practical nature which will confront him when he must begin to accept responsibility for himself. This aspect of the examinations should be particularly valuable as a guide to a student in the earlier period of his service under articles and while he has still two more years of office training before him.

3. The Students' Handbook issued by the Law Society contains a number of valuable practical hints on office training. It would be well worth while to see that the student is from time to time reminded to consult this part of the Handbook.

4. The questions and answers as reported at the recent examination may in some respects assist those engaged in lecturing by bringing to their attention aspects of the subjects in which they lecture where the students do not appear to have succeeded in applying to actual practice the information given during lectures.

5. Judging from many of the replies the students would be better for a more intimate working knowledge of those statutes with which the ordinary practitioner requires to be familiar in his every day experience. No doubt many such statutes are dealt with during lectures and too much attention to their details in the lectures would probably prevent the lecturer from adequately dealing with the broad aspects of their subjects. This is a matter in which the student can not only assist himself by referring to the appropriate legislation when he has any work to do, but also the profession could greatly help the students by directing their attention to any statute or rule or any part of it which bears upon the work which the student is about to undertake. When people are busy and working under pressure this is not always possible but during slack times such as only too generally exist at present there is an excellent chance of combining theory and practice by resorting to this simple and very important expedient. It may not be out of place to recommend that students in the course of their studies and of their work in the office should become more closely acquainted with such taxing Acts as The Succession Duty Act, The Income Tax Act and The Corporation Tax Act which now have such an important bearing upon the interests of clients.

6. Real estate transactions form a large part of the experience available to students just as they are a very important element in his earning power when he begins to practice. The practice of conveyancing has not only changed during recent years owing to modern legislation but the

various charges and restrictions imposed upon lands and their transfer due to increased taxation have made dealings between Vendor and Purchaser more hazardous and difficult. From the answers of students on this subject it would appear that some lectures devoted to problems arising out of sales of land and the practice of conveyancers would help the student both to gain more benefit from the rather limited experience which is frequently all that comes his way through office practice, but also to make him a more skilful conveyancer and draftsman when the time comes for him to assume full responsibility. In this connection the examinations disclosed a marked inability to draw up a description from an ordinary surveyor's sketch and it is suggested that the ability to read and understand a survey and a surveyor's description should be made a feature of a student's training.

7. Not many students are asked to draft deeds, pleadings, probate papers or other documents, nor do they now as a rule have any opportunity of copying or engrossing them. Some have drawn orders or judgments but drafting as an art is not apparently a species of experience which falls to most students. Under modern conditions any improvement in this direction is difficult but the profession might perhaps find it possible to bring to the attention of the students the importance of this subject and illustrate it by letting the student try his hand at simple drafting and by bringing to his attention from time to time well drawn examples of various documents passing through the office.

8. Though most of the students were in offices during the past year some stated that they were unable to find a place though they had frequently tried. As mentioned in this report a larger number were in some office where they had remained at one kind of work chiefly because the remuneration was so important to them. In such cases there was necessarily a lack of varied office experience and the purpose of service under articles was defeated. Such cases creates a problem of considerable difficulty especially in bad times, but Convocation may consider it of sufficient importance to justify some further investigation in order to ascertain

whether such students cannot obtain somewhat wider experience during their service under articles.

Signed on behalf of the Board of Examiners.

"J. SHIRLEY DENISON,"
Chairman.

On motion of Mr. Denison the report was adopted, including the report on Oral examinations and it was ordered that the latter report, including a summary of the students' standing be published in full in the printed Minutes of Convocation.

Moved by Mr. Denison, seconded by Mr. Carson, and carried, that the sincere thanks of Convocation are due to Messrs. W. W. Davidson, K.C. and Salter A. Hayden, K.C., for the services which they have rendered to the profession in Ontario by acting as Honorary Examiners in the recent Oral examinations of the third year students at Osgoode Hall.

The time which they have devoted to their preparation for and their participation in these examinations, coupled with their wide experience in the practice of law have very greatly assisted Convocation in this its first attempt to ascertain the result of training under articles upon students attending the law school.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar—

1. Frank Hubert Bailey (Special—Saskatchewan).

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

MONTHLY STATEMENT, APRIL 1939.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

ORDER.

The Secretary placed before Convocation the following Order:

RE RICHARD GLADSTONE WILKINSON—Order striking off the Rolls.

REPORTING COMMITTEE REPORT.

In the absence of the Chairman, the Treasurer presented the report.

The Ontario Weekly Notes have for a long time contained a note of the reversal or variation of every noted judgment or order reversed or varied on appeal. The Chairman some weeks ago suggested to the Consulting Editor and the Editor that there should also be a short note of the dismissal of any appeal from a noted judgment or order. The Consulting Editor and the Editor agreed with the suggestion and the Committee now approves of this course.

The Committee respectfully refers Convocation to Volume 14 of the Ontario Weekly Notes in which will be seen evidence of this course and also a short note of the disposition of four Ontario appeals by the Supreme Court of Canada.

The Committee to-day requested the Chairman to write the Registrar of the Supreme Court of Canada to request respectfully the result of each Ontario appeal, and a copy of the reasons as soon as possible. In accordance therewith, the Chairman of the Committee to-day wrote the Registrar of the Supreme Court of Canada.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman, the Secretary presented the report.

The Committee recommends the appointment of a Sub-committee consisting of Messrs. Mason, Marshall, McNevin, McRuer and Walsh, to receive reports from the profession in respect to unauthorized practice and to consider ways and means of correcting abuses that exist throughout the Province.

The Committee considered several matters in connection with unauthorized practice which will be reported to Convocation on completion.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ANNUAL GRANT.

The County Law Association at Parry Sound having filed annual returns for the year 1938, the Committee reports to the Finance Committee that having complied in all other respects with the requirements of the rules adopted from time to time by Convocation relative to County Libraries, and recommends the payment of the annual grant amounting to $66.67.

INSURANCE ON COUNTY LIBRARIES.

The Special Committee submitted its report on the form of coverage on county libraries, which was adopted and copies of the report were directed to be sent to the county libraries.

RE SPECIAL GRANTS TO COUNTY LIBRARIES.

It was decided to postpone any further grants until a general inspection of all County Libraries had been completed.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Chairman read certain correspondence with reference to Appeals to the Privy Council including a letter from the Honourable the Attorney-General of Ontario and referred to Bill No. 9—An Act to amend the Supreme Court Act—and sessional paper No. 280 of the Parliament of Canada.

ORDERED that in view of the report of the Special Committee with reference to Appeals to the Privy Council—duly adopted by Convocation on 20th October, 1938—that no further action be taken and that the correspondence be received and filed.

The Treasurer read a letter from the Honourable the Attorney-General of Ontario enclosing a copy of Rule 63 of the Legislative Assembly of Ontario with reference to private bills creating Barristers and other professional persons.

ORDERED that the correspondence be received and filed.

The Treasurer expressed to Mr. A. W. Roebuck the thanks and appreciation of Convocation for his valuable assistance in this matter.

The Treasurer read a letter from Mr. J. I. Stewart, President of the Osgoode Legal and Literary Society expressing the thanks of the Third year students for the dinner given them by the Benchers.

ORDERED that the letter be received and filed.

RE LOYAL ADDRESS TO THEIR MAJESTIES.

On motion, it was ordered that the Society—through His Excellency the Governor-General—Present to Their Majesties a loyal address on behalf of the members of the Society and that Mr. W. N. Ponton be requested to prepare the address.

The Treasurer reported on the arrangements made with the Ontario Government for the decoration of Osgoode Hall and for representation of the Benchers at official functions on the occasion of the Royal visit.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH JUNE, 1939.

PRESENT—The Hon. Hugh T. Kelly, and Messrs. Aylen, Carson, Denison, Dunbar, Fuller, Hays, Kerr, King, Marshall, Mason, Middlebro, McNevin, McRuer, Rodd, Seymour, Shaver, Sims, Sweet, Walsh, White, and Young.

The Honourable the Chief Justice of Ontario, a Visitor of the Society, was also present.

In the absence of the Treasurer, Mr. W. S. Middlebro, K.C. was elected Chairman.

SPECIAL PROCEEDINGS.

CALL TO THE BAR.

On motion of Mr. Denison, *it was ordered* that the report of the Legal Education Committee as to the Third year examination results, the Presentation of Medals, awarding of Honours and Call to the Bar be received and adopted and that Convocation proceed with the Presentation and Call to the Bar.

CALL TO THE BAR.

The Chairman, the Chief Justice of Ontario, and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduates and friends. The following candidates were introduced by the Chairman of the Legal Education Committee and were Called to the Bar by the Chairman—

1. Hugh Mervyn MacMaster.
2. Roy Clement Sharp.
3. Chester Cameron Macdonald.
4. Keith Ian McLean.
5. John Albert Bradshaw.
6. Edgar Seton Thorne.
7. Harley Donald Hallett.
8. Alfred William Grant Farwell.

9. Grant Roland McCready.
10. Walter Bartholomew McManus.
11. John Howard Ready.
12. Edward Wilson Bayly.
13. Rupert Alfred Parkinson.
14. James Innes Stewart.
15. Walter Halcro Calvin Boyd (with Honours).
16. Wilmot Hagarty Broughall.
17. Charles Hamilton Doolittle.
18. Hugh John Findlay.
19. Kenneth Archibald Foulds.
20. William Goldwin Carrington Howland (with Honours, Silver Medal, and equal with one other for Christopher Robinson Memorial and Matthew Wilson Memorial Scholarships).
21. John Mirsky.
22. Mervin Mirsky.
23. David James Ongley.
24. John Mitchell Sutherland.
25. Stanley Champion Biggs.
26. Franck Holton Britton.
27. Ronald George Burrows.
28. Wallace Card.
29. Donald William Massie Cooper.
30. Gregory Thomas Evans.
31. Jacie Charles Horwitz.
32. Arthur Nixon Kearns (with Honours, Gold Medal, Chancellor Van Koughnet Scholarship, Clara Brett Martin Memorial Scholarship and The Gurston Allen Prize).
33. Eric Lawrence Medcalf.
34. Ward Hughson Powell.
35. Allan Edward Robinette (with Honours).
36. Anderson Rodger.
37. Joseph Frederick Schelter.
38. Wilbert Ernest West.
39. Will MacGillivray Pratt.
40. Samuel Lerner.
41. Edmond McLeod Tew.

PRESENTATION OF MEDALS.

MR. ARTHUR NIXON KEARNS was presented with the Gold Medal and MR. WILLIAM GOLDWIN CARRINGTON HOWLAND was presented with the Silver Medal, awarded to them at the Easter, 1939, examinations.

Convocation then re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of the 18th May, 1939, were read and confirmed.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

ELECTION OF CHAIRMAN.

Mr. G. L. Smith, K.C. was elected Chairman.

MONTHLY STATEMENT, MAY, 1939.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

RE HARRY JAMES SHANAHAN.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

Mr. J. H. Rodd addressed Convocation on behalf of the solicitor and his counsel, Mr. S. L. Springsteen, K.C., and asked that consideration be given to the adoption of a lesser punishment than that recommended in the report, or that consideration of the report be deferred to the next meeting of Convocation. Mr. Rodd stated that in the event of the latter action being taken, Mr. Springsteen had given his undertaking that the Solicitor would not practise his profession until the report had been further considered.

Moved in amendment by Mr. King, seconded by Mr. Walsh, that consideration of the Discipline Committee's report be deferred until the September meeting of Convocation and that the Solicitor be notified that he may appear at such meeting and be heard personally or by counsel.

THE AMENDMENT WAS CARRIED.

RE ALFRED WESLEY GRAHAM.

Mr. Dunbar presented the report of the Discipline Committee herein, and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Alfred Wesley Graham, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Alfred Wesley Graham guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Alfred Wesley Graham be disbarred.

That the said Alfred Wesley Graham is unworthy to practise as a Solicitor.

RE JOSEPH GRAEME HOOD.

Mr. Dunbar presented the report of the Discipline Committee herein, and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Joseph Graeme Hood, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Joseph Graeme Hood guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Joseph Graeme Hood be suspended from practice as a Barrister and Solicitor for the period of Six Months from the 15th day of June, 1939.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Election of Chairman.

Mr. J. S. Denison, K.C. was elected Chairman.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	I. GRADUATES	DATE
1.	John Glanville Alley	26th May, 1939.
2.	Patrick Martin Draper, Jr.	30th May, 1939.
3.	Angus Hugh Laidlaw	27th May, 1939.
4.	Franklin Howard Young	16th May, 1939.
5.	Angela Janette Kerr	19th September, 1939.

Approved.

Examination Results—Easter 1939.

Third Year.

The record of the returns of the examiners of the Easter examinations for the Third year, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

Honours—Third Year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours—

1. A. N. Kearns.
2. J. M. Godfrey, W. G. C. Howland.
4. M. H. Ramsay.
5. J. C. Aubin.
6. J. S. Kilgour.
7. W. H. C. Boyd, H. Soloway.

9. P. I. Henry.
10. D. Vanek.
11. A. E. Robinette.
12. Z. R. B. Lash.

Approved.

SCHOLARSHIPS—THIRD YEAR.

According to the returns of the examiners, the following are entitled to Scholarships, as follows:

Chancellor Van Koughnet Scholarship—$400.00.

A. N. Kearns.

Christopher Robinson Memorial Scholarship—$100.00.
Matthew Wilson Memorial Scholarship—$45.00.

J. M. Godfrey and W. G. C. Howland being equal for second place are entitled to have the above Scholarships for second and third places, divided equally between them.

Clara Brett Martin Memorial Scholarship—$25.00.
(for highest mark in Wills and Trusts)
A. N. Kearns.

The Gurston Allen Prize—$25.00.
(for highest mark in Conflict of Laws)
A. N. Kearns.

Approved.

MEDALS—THIRD YEAR.

Under Rule 130, the following candidates, being in due course, and having passed the final examination with Honours, are entitled to Medals, as follows:

Gold Medal—A. N. Kearns.
Silver Medal—J. M. Godfrey.
Silver Medal—W. G. C. Howland.

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered and certain special relief granted thereon—

Third Year—

A. W. G. Farwell.
E. W. Bayly.
Wallace Card.
Edgar Clement.
G. T. Evans.
Samuel Lerner.
D. W. Blackburn.
Miss I. E. Arthur.
Eugene McCullough.
R. J. Wilson.
E. M. Tew.

RE BOOK-KEEPING EXAMINATION—THIRD YEAR.

A ruling of the Committee is asked as to whether a failure in the Book-keeping examination is to come within the meaning of Rule 116. This ruling will affect five students as to whether they will be allowed to write at the supplementals or must repeat their year.

The Committee recommended that for the academic year of 1938-1939 a failure in Book-keeping be not considered as coming within the meaning of Rule 116.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

ELECTION OF CHAIRMAN.

Mr. McGregor Young, K.C. was elected Chairman.

The Committee considered in detail the memoranda prepared by the Treasurer following his visit to certain American law libraries.

The Committee recommends that it be referred to the Library Committee to make suitable arrangements for the retirement of Mr. Daley as Chief Librarian and for the appointment of a new Chief Librarian and such assistants on the library staff as it may deem necessary; the salaries of the new Chief Librarian and such assistants to be fixed by the Library Committee with the approval of the Chairman of the Finance Committee.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

At the request of the Chairman, Mr. McRuer presented a brief report on certain matters still before the Committee.

THE REPORT WAS ADOPTED.

Mr. McRuer spoke of the work of the Special sub-committee on Unauthorized Practice and asked the Benchers to enlist the co-operation of the Local Law Associations in replying to the Treasurer's letter of May 31st, 1939, asking for information on unauthorized practice.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ELECTION OF CHAIRMAN.

Mr. J. R. Marshall, K.C. was elected Chairman.

GRANTS TO LIBRARIES.

The Renfrew Law Association has fyled its annual return for the year 1938 and the Committee reports to the Finance Committee that having complied in all other respects with the requirements of the rules adopted from time to time by Convocation relative to County Law Libraries, it recommends the payment to the Renfrew Law Association of the annual grant of $184.00.

With reference to the amendment to Rule 60 adopted at last meeting of Convocation limiting annual grants to $25.00 per member, the following County Law Associations are entitled to additional amounts which are recommended for payment—

Brant	$120.00
Lincoln	108.00
Ontario	9.80
	$237.80

RE INSURANCE ON COUNTY LIBRARIES.

The Committee has appointed a sub-committee to consider and report on the valuation of sets of books in County Libraries for insurance purposes.

THE REPORT WAS ADOPTED.

LOYAL ADDRESS TO THEIR MAJESTIES.

The Secretary reported that following the direction of Convocation of the 18th May, a loyal address had been prepared, engrossed and illuminated by hand on parchment and presented, through His Excellency the Governor-General, to Their Majesties.

RE THE LORD CHANCELLOR.

Convocation considered the possible entertainment of the Lord Chancellor following his attendance at the August meeting of the Canadian Bar Association.

ORDERED that the matter be referred to the Treasurer with power to act in making any possible arrangements.

CORRESPONDENCE.

The Chairman referred to a letter from Mr. T. L. Church, K.C., M.P., with reference to Appeals to the Privy Council, including copies of papers produced in the matter in connection with the Bill of Mr. Cahan, M.P.

ORDERED that in view of the report of the Special Committee adopted by Convocation on 20th October, 1938, the correspondence be received and filed and that Mr. Church be notified of the action already taken by Convocation.

The Chairman read a letter with enclosures from Mr. J. R. Marshall referring to the proposed legislation in Manitoba with reference to the Bonding of Solicitors.

Mr. Marshall stated that this matter will be considered at the next meeting of the Conference of Governing Bodies of the Legal Profession in Canada.

Ordered that the correspondence be referred to the Special Committee on Bonding of Solicitors.

The Chairman read a letter from Mr. G. M. Wilton, Chairman of the Toronto Legal Aid Bureau, with reference to a grant as an honorarium to the Secretary of the Bureau.

Ordered that the matter be referred to the Finance Committee for consideration.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST SEPTEMBER, 1939.

PRESENT—The Treasurer and Messrs. Bullen, Carson, Davis, Dunbar, Fuller, Hays, Hughes, King, Marshall, Mason, Middlebro, McCrea, McNevin, McRuer, Nickle, Roebuck, Shaver, Sweet, Walsh, White, and Young.

On motion of Mr. Carson, seconded by Mr. King, *it was ordered* that those parts of the Legal Education Committee's reports relating to Call to the Bar be approved and adopted and that Convocation proceed with the Call to the Bar.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Peter White and were Called to the Bar by the Treasurer:

1. Peter Randolph August Ritchie.
2. George Allen Ross Cowan.
3. Floyd Earl Corner.
4. Maurice Eldridge Downs.
5. Melvin Henry Ramsay (with Honours).
6. Douglas William Blackburn.
7. Frederick Patrick Moyer.
8. William Dickens Parker.
9. John Malcolm Robb.
10. Thomas George Street.
11. Leonard Lisgar Brown.
12. Raymond Joseph Wilson.
13. Hugh Ramsay Park.
14. Joseph Flavelle Barrett.
15. George Edward Burson.
16. Arthur Robert Jessup.
17. John Sheppard Kilgour (with Honours).
18. Zebulun Robert Baldwin Lash (with Honours).
19. Lorne Hazelton Morgan.

20. Jean Charles Aubin (with Honours).
21. John Thomas Brett.
22. James Archibald Clare.
23. George Andrew Eaton.
24. Frederic Tristram Egener.
25. James Albert Holden.
26. William Basil Stasiv.
27. Frederick Allen Evis.
28. Paul Irwin Henry (with Honours).
29. William James McMaster.
30. Andrew Henry McTavish.
31. William Ronald Rutherford Sutton.
32. Christian Montague Milton.
33. Peter Donald McGregor.
34. Allan Archibald McNab.
35. Samuel Foster Ross.
36. Bernard Shaffer.
37. Bertha Esther Thompson.
38. David Vanek (with Honours).
39. William Pemberton Morling (Special—Ontario Solicitor).

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of June 15th, 1939, were read and confirmed.

ELECTION OF BENCHER.

Moved by Mr. Middlebro, seconded by Mr. Nickle, and carried that *Mr. W. S. Herrington, K.C.,* of Napanee, Ontario, be elected a Bencher to fill the vacancy caused by the death of the late W. N. Ponton, K.C.

COMMITTEES.

On motion, Mr. W. S. Herrington, K.C., was appointed a member of the following committees—Unauthorized Practice and County Libraries.

LEGAL EDUCATION COMMITTEE REPORTS.

In the absence of the Chairman, Mr. Shaver presented the reports.

EXAMINATION RESULTS—EASTER 1939.

SECOND YEAR.

The record of the returns of the examiners of the Easter Examinations for the Second year, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

HONOURS—SECOND YEAR.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. K. E. Maki.
2. R. A. Kingston.
3. D. M. Treadgold.
4. A. M. Ecclestone.
5. J. C. Boland.
6. D. G. E. Thompson.

Approved.

SCHOLARSHIPS—SECOND YEAR.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1.	K. E. Maki	$100.00
2.	R. A. Kingston	60.00
3.	D. M. Treadgold	40.00

Approved.

FIRST YEAR.

The record of the returns of the examiners of the Easter Examinations for the First year, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

HONOURS—FIRST YEAR.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. Louis Ziff.
2. J. D. Pickup.
3. A. R. Campbell.
4. Miss V. N. Weekes.

Approved.

SCHOLARSHIPS—FIRST YEAR.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1.	Louis Ziff	$100.00
2.	J. D. Pickup	60.00
3.	A. R. Campbell	40.00

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered and certain special relief granted thereon:

Second Year—

Aloysius Neville.
W. H. Fox.
James McCubbin.
Thomas Thompson.
W. T. Harris.
A. W. Winter.

First Year—

J. A. Irvine.
A. P. Tisdall.
W. D. N. McKessock.
Eugene Lazar.
W. L. Shortreed.
G. O. Thomson.

W. M. Wismer.
W. J. Thompson.
A. L. Binkley.
J. Antoine Legris.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES.	DATE
1.	William Houghton Adams	10th June, 1939.
2.	Bradford Hugh Blaikie Bowlby	10th June, 1939.
3.	William Michael Bowlen	14th June, 1939.
4.	Grant Cullen Brown	10th June, 1939.
5.	Donald Lane Campbell	14th June, 1939.
6.	Hamilton Cassels, Junior	10th June, 1939.
7.	James Roy Colville	13th June, 1939.
8.	Francis Costello	13th June, 1939.
9.	Arthur Lyman Meredith Fleming	13th June, 1939.
10.	Robert Elmer Gardiner	15th June, 1939.
11.	Harold Wood Gauthier	19th June, 1939.
12.	Osias Joseph Godin	5th June, 1939.
13.	Bernard Cameron Grant	14th June, 1939.
14.	Wesley Gibson Gray	9th June, 1939.
15.	Joseph Greenspan	15th June, 1939.
16.	Robert John Hamilton	13th June, 1939.
17.	Sydney Malcolm Harris	10th June, 1939.
18.	William James Orton Henderson	9th June, 1939.
19.	David Howard Woodhouse Henry	5th June, 1939.
20.	William Henry Hewson	15th June, 1939.
21.	Robert Vyvyan Hicks	14th June, 1939.
22.	Robert Doan Hill	13th June, 1939.
23.	Kenneth Geikie Jeanneret	12th June, 1939.
24.	Gilbert Dunstan Kennedy	10th June, 1939.
25.	Charles Deane Kent	12th June, 1939.
26.	Cameron James Killoran	13th June, 1939.
27.	Avram Michael Lampel	15th June, 1939.
28.	George Reith Mackie	12th June, 1939.
29.	Zotique Edgar Mageau	7th July, 1939.
30.	Gordon Barr Mallion	14th June, 1939.
31.	Frederick Lawrence Miller	30th May, 1939.

	I. GRADUATES.	DATE
32.	James Rodgers Mingay	19th June, 1939.
33.	John Albert Mullen	9th June, 1939.
34.	Donald Forbes McDonald	15th June, 1939.
35.	Walter Leishman McGregor	9th June, 1939.
36.	Austen Bastedo McIlmoyle	13th June, 1939.
37.	Robert Gordon Mathieson Parker	14th June, 1939.
38.	Stuart Peebles Parker	17th June, 1939.
39.	Frederick John Ashton Pollard	15th June, 1939.
40.	John Donald Mackenzie Pollock	14th June, 1939.
41.	Wilson Albert Reason	15th June, 1939.
42.	Harry Elmer Richardson	13th June, 1939.
43.	John Parmenter Robarts	12th June, 1939.
44.	George Theodore Rogers	13th June, 1939.
45.	Frederick Newton Alexander Rowell	9th June, 1939.
46.	Sylvester Perry Ryan	15th June, 1939.
47.	Charles Joseph Seagram	13th June, 1939.
48.	Kenneth Archibald Stewart	10th June, 1939.
49.	Ralph Richard Sturgeon	12th June, 1939.
50.	George Luther Symmes	15th June, 1939.
51.	Douglas Stewart Tickner	10th June, 1939.
52.	Lloyd Joseph Valin	13th June, 1939.
53.	Harold Leslie Vanwyck	15th June, 1939.
54.	Robert Charles Arthur Waddell	10th June, 1939.
55.	Edmund Joseph John Walters	14th June, 1939.
56.	Joseph Kenneth Williams	15th June, 1939.
57.	Arnold David Wilson	14th June, 1939.
58.	William Balantyne Wood	14th June, 1939.

II. MATRICULANT.

59.	Eileen Airth	14th June, 1939.

Approved.

SUPPLEMENTAL EXAMINATIONS—SEPTEMBER, 1939.

THIRD YEAR.

The record of the returns of the examiners of the supplemental examinations for the Third year is submitted herewith showing those who have passed and those who have failed.

Approved.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1938-39 is submitted for consideration.

Approved.

SCHEDULE OF LECTURES 1939-40.

The schedule of lectures for the session 1939-40 is submitted for approval.

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered and certain special relief granted thereon:

Third Year—

G. A. Ross Cowan.

FIDELE BELANGER.

A member of the Bar of the Province of Quebec, asks permission to attend certain selected courses of lectures at Osgoode Hall.

The Committee recommend that permission be granted as requested.

T. G. BOWEN-COLTHURST.

The Benchers of the Law Society of British Columbia request that the above student-at-law be permitted to pursue his studies for one year at Osgoode Hall Law School.

The Committee recommends that he be allowed to attend lectures on paying the regular tuition fee of $150.00.

ALLEN J. MACLEOD.

Of Sydney, N.S., requests that he be permitted to attend the Law School for the coming session as a special student. He intends later to pursue his legal studies in Nova Scotia but is not yet a member of the Nova Scotia Barristers Society.

The Committee recommends that the request be granted on condition that he is admitted as a member of the Barristers Society in Nova Scotia.

THE REPORTS WERE ADOPTED.

PRESENTATION.

The Treasurer read a letter from the Honourable the Chief Justice of Ontario presenting to the Society an old Sheffield epergne for the Benchers Dining Room.

A suitable acknowledgment having been made by the Treasurer *it was resolved* that Convocation gratefully accept the presentation by the Chief Justice.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

Mr. Shaver presented the report on the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled—

WALLACE NESBITT TRUST.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation on October 21st, 1937, approved regulations governing an Annual Prize Essay Competition as submitted by the committee nominated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The Committee now reports for the information of Convocation that in the competition held during the session of 1938-1939 a prize of $150 was awarded to Fred Evis, for an essay entitled "The Admissibility of Similar Facts in Evidence."

3. Subject to the approval of Convocation the committee intends to hold a similar competition during the session of 1939-1940 under the existing regulations, but in view of the fact that there were ten competitors in the session of 1937-1938, and that there was only one competitor in the session of 1938-1939, a special effort will be made to interest the students in the competition, and to ascertain whether it is worth while to continue the competition in its present form. In the light of a further year's experience the committee will consider what modifications, if any, it may be desirable to make in the regulations or what other plan might be adopted for the expenditure of the income of the trust fund.

All of which is respectfully submitted.

September 8th, 1939.

"D. L. McCARTHY,"
Treasurer.
"J. SHIRLEY DENISON,"
Chairman, Legal Education Committee.
"JOHN D. FALCONBRIDGE,"
Dean.

THE REPORT WAS RECEIVED.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Mason presented the report.

MONTHLY STATEMENT—JULY AND AUGUST, 1939.

The usual monthly statements were presented.

RE SOLICITORS ANNUAL CERTIFICATES.

The Committee has discussed certain proposed changes in the form of such certificate and has considered the forms used in other jurisdictions. The Committee recommends to Convocation the adoption of a certificate in the following form:

(SEAL)

No.......................

PRACTISING CERTIFICATE.

Pursuant to the Solicitors Act, R.S.O. 1937, Chapter 223, and amendments, The Law Society of Upper Canada hereby certifies (1) that
solicitor of the Supreme Court of Ontario practising at
has filed with the Secretary of the said Society a declaration in writing that to the best of his knowledge he has during the year preceding the date of such declaration complied with the Rules of the said Society relating to clients' monies; (2) that the said Solicitor is duly enrolled as a Solicitor of the Supreme Court of Ontario; (3) that the said Solicitor has paid the fees prescribed, and (4) that he is a practising Solicitor of the Supreme Court and entitled to practise as such solicitor.

Given under my hand and the seal of the said Society at Osgoode Hall, Toronto, this day of , 1939.

Secretary.

RE PROTECTION OF OSGOODE HALL GROUNDS AND BUILDINGS.

This matter was referred by the Committee to the Treasurer and he has conferred with the Attorney-General. The Committee recommends approval of the measures for protection as set forth in a letter dated September 13th, 1939, from W. B. Common, Counsel, Attorney-General's Department.

In addition to the above measures, all gates except the East Gate on Queen Street will be locked and all entrances to the building except the main south entrance will be locked.

RE GREAT LIBRARY.

The Committee recommends approval of the expenditure of the cost of alterations to the old Robing room, west wing, as authorized by the Library Committee and further recommends that the estimated costs with reference to the rearrangement of the Library and the reorganization of the Library staff be considered with the estimates for the financial year 1939-40 at the October meeting of Convocation.

RE LAWYERS CLUB MEETINGS.

The Committee recommends that the request of the Lawyers Club of Toronto to hold regular meetings in Convocation Hall be approved, subject to arrangements being made satisfactory to the Chairman of this Committee and the Secretary.

RE MILITARY SERVICE.

The Committee recommends that from December 1, 1939, the fees be not charged to Barristers and Solicitors who are engaged in active service in His Majesty's forces, and that the reports issued by the Society be supplied to them as usual during their periods of service.

The Committee recommends, in the case of students who become engaged in active service, that the Law School fees be apportioned according to the time spent at lectures.

On motion of Mr. Mason *the report,* except the recommendation with reference to Military Service, *was adopted.*

ORDERED that the matter of all regulations dealing with Military Service be referred to a joint Committee composed of the Finance and Legal Education Committees.

RE LUNCHEON ROOM.

The Treasurer reported briefly on the operation of the Luncheon room to date, referring to the average attendance and the financial returns to the caterer.

ORDERED that the arrangements made as recommended by the Finance Committee be approved.

RE ARREARS OF FEES.

Mr. Mason reported to Convocation the number of Barristers and Solicitors in arrears and the total amount of such arrears.

DISCIPLINE COMMITTEE REPORTS.

RE STANLEY DOUGLAS.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The Report of the Discipline Committee in the matter of Stanley Douglas, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Stanley Douglas guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Stanley Douglas be disbarred.

THAT the said Stanley Douglas is unworthy to practise as a Solicitor.

Convocation adjourned at 12.55 p.m.

Meeting resumed at 2.20 p.m. a quorum being present.

RE HARRY JAMES SHANAHAN.

Mr. Dunbar referred to the report of the Discipline Committee herein as presented to Convocation on 15th June, 1939.

Mr. Dunbar read letters from Mr. S. L. Springsteen, K.C., counsel for the solicitor, and from Mr. J. H. Rodd, K.C., and a telegram from the Secretary to Mr. Springsteen.

Mr. Dunbar moved the adoption of the report.

The Solicitor did not attend nor was he represented by counsel.

The Report of the Discipline Committee in the matter of Harry James Shanahan, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Harry James Shanahan guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Harry James Shanahan be disbarred.

THAT the said Harry James Shanahan is unworthy to practise as a Solicitor.

RE SAMUEL JACOB HENNICK.
RE HENRY LIONEL HENNICK.

Mr. Dunbar presented the reports of the Discipline Committee herein.

The Solicitors appeared and addressed Convocation.

On motion of Mr. Dunbar the reports were adopted.

The Solicitors appeared before Convocation and were REPRIMANDED by the Chairman.

RE OSCAR EDWARD FLEMING, JR.

The Secretary reported that pursuant to the action of Convocation on the 20th April, 1939, Mr. Fleming has filed an undertaking, dated 15th July, 1939, that he will not resume the practice of Law either as a Barrister or Solicitor and that he will not engage in any business that involves the handling of trust funds; and that his name has been removed from the Rolls of the Society on his own application and that the Registrar of the Supreme Court of Ontario has been so notified.

ORDERS.

The Secretary placed before Convocation the following Orders:

RE ALFRED WESLEY GRAHAM—Order striking off the Rolls.

RE JOSEPH GRAEME HOOD—Order suspending for six months.

RE H. PATRICK MARCK.
RE ALBERT ANTHONY MARCK.

The Treasurer and Mr. C. L. Dunbar withdrew from Convocation during the consideration of this report.

On motion, Mr. Peter White took the chair.

Mr. Shaver presented the report of the Discipline Committee herein.

The Solicitors attended with their counsel, Mr. A. M. Lewis, K.C., and Mr. Lewis and Mr. H. P. Marck addressed Convocation.

On motion of Mr. Shaver the report was adopted.

The Solicitors appeared before Convocation and were REPRIMANDED by the Chairman.

The Treasurer then took the Chair.

COUNTY LIBRARIES COMMITTEE REPORT.

In the absence of the Chairman, Mr. King presented the report.

1. The Sault Ste. Marie Law Association having now filed annual returns for the years 1937, 1938, and 1939, and otherwise complied with the requirements of the rules adopted from time to time by Convocation relative to County Libraries, the Committee specially reports same to Convocation and recommends that Convocation authorize the payment of the annual grants to the said Association, notwithstanding its delay in filing returns, but subject to information satisfactory to the Chairman of the Committee being given as to its indebtedness, as follows:

For the year 1937	$353.34
For the year 1938	283.34
For the year 1939	240.00
making in all	$876.68

2. The Committee recommends that an inspection of the County Libraries be now made by the Chief Librarian at such times as he finds practicable and that the usual allowance be made for travelling expenses.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

Mr. Hughes.

1. The Hon. F. J. Hughes, K.C., was elected Chairman.

2. The Committee considered correspondence between the Chairman and the Registrar of the Supreme Court of Canada with reference to notifying the Chief Librarian of Judgments on the day on which each Judgment is announced and forwarding copies of reasons when such are available. The Committee requested the Chairman to pursue the matter further.

3. The Committee considered two letters from Mr. George Lynch-Staunton, K.C., with reference to reporting and directed that the matter stand for further consideration.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

On motion the report was received and consideration was deferred to the October meeting of Convocation.

The Treasurer reported on his negotiations with Mr. J. J. Daley, retired Chief Librarian, as to his future duties and salary.

Moved by Mr. Mason, seconded by Mr. Bullen, and carried that the Treasurer be authorized to make arrangements for Mr. Daley's retirement.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

Mr. Mason.

A sub-committee consisting of the Chairman and Messrs. McRuer and Marshall was appointed to consider with representatives of the Patent Institute of Canada, matters that have arisen which require consideration by the Institute and our Society and to report to this Committee the results of such consideration.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE W. N. PONTON, K.C.

The Treasurer appointed Messrs. Nickle, King & Herrington a Special Committee to prepare a Memorial to the late W. N. Ponton, K.C.

RE VISIT OF THE LORD CHANCELLOR—LORD MAUGHAM.

The Treasurer reported on the arrangements which had been made for the visit of Lord Maugham, and which were cancelled on account of the Chancellor's return to England at an earlier date.

Re TERM DINNERS.

After discussion it was ordered that no action be taken with reference to holding Term Dinners under existing war conditions and that the matter stand for future consideration.

CORRESPONDENCE.

The Treasurer referred to his correspondence with the Honourable the Minister of Justice with reference to the co-operation of the Society in recommending suitable Barristers for essential Government services.

Convocation recorded its approval of the plan and expressed its willingness to co-operate with the Minister of Justice.

ORDERED that the matter be referred to the Treasurer with power to appoint a Special Committee if required.

The Treasurer read a letter from Mr. G. T. Walsh, K.C., expressing his thanks for the expression of sympathy sent by the Benchers.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH OCTOBER, 1939.

PRESENT—The Treasurer, The Hon. Hugh T. Kelly, and Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Hellmuth, Kerr, King, Marshall, Middlebro, McNevin, McRuer, Nickle, Rodd, Seymour, Shaver, Sims, Sinclair, Slaght, Smith, Sweet, Walsh, and Young.

The Minutes of the meeting of Convocation of 21st September, 1939, were read and confirmed.

RE GUARDING OSGOODE HALL.

The Treasurer reported that this matter having been referred to him by Convocation he had conferred with the Attorney-General; that the north gate had been locked and that the terms of the original agreement with the Government were now in force.

The Treasurer reported briefly on the arrangements made for the retirement of Mr. J. J. Daley as Chief Librarian, in accordance with the direction of Convocation and as reported by the Library Committee.

The Treasurer reported that in connection with the Society's co-operation with the Minister of Justice in appointments to essential Government services he had appointed a Special Committee composed of—The Treasurer and Messrs. Mason, McRuer, and Carson, to deal with all matters relating thereto.

RE CANADIAN BAR ASSOCIATION.

Mr. W. S. Middlebro, K.C., and Mr. J. R. Marshall, K.C., were appointed the Society's representatives on the Council of the Canadian Bar Association.

LEGAL EDUCATION COMMITTEE REPORTS.

Mr. Denison presented the reports of the Legal Education Committee.

Special Petitions.

Petitions by the following students were considered and certain special relief granted thereon:

Second Year—G. T. Gale.
First Year—A. L. Binkley.
J. M. Priddle.

Re Change of Name—Married Women.

Consideration of a policy to be adopted in the case of Women Barristers.

The Committee recommends that on production of the necessary certificate of marriage, the Secretary change the name on the Roll.

On motion of Mr. Denison the report, except as to the special petition of S. D. Borins, was adopted.

After further information was submitted and after discussion it was moved by Mr. Denison, seconded by Mr. Shaver, and carried, that the report as to the special petition of Mr. Borins be amended and that he be granted pass standing in the subject of Crimes.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES.	DATE.
1.	James Donald Carrick	20th September, 1939.
2.	Owen Richard Champan	26th August, 1939.
3.	McLeod Archibald Craig	15th September, 1939.
4.	Willis Gordon Cunningham	15th September, 1939.
5.	Samuel Gibson Dalley	13th September, 1939.
6.	George Mitchell Dent	22nd September, 1939.
7.	Charles Garrow Devlin	15th September, 1939.
8.	James Francis Dunn	22nd August, 1939.

	I. GRADUATES.	DATE.
9.	Hugh Francis Gibson	15th September, 1939.
10.	Hugh Larratt Henderson	22nd September, 1939.
11.	William Lloyd Hipperson	12th September, 1939.
12.	Robert Ernest Hogarth	28th August, 1939.
13.	Jack Ernest Hotz	11th September, 1939.
14.	Samuel Harvey Shirecliffe Hughes	30th August, 1939.
15.	James Kenneth Kidd	15th September, 1939.
16.	Fernand Larouche	25th August, 1939.
17.	Earl Leroy Lutes	15th September, 1939.
18.	Albert Norton Morgan	16th September, 1939.
19.	Aloysius Douglas McAlpine	15th September, 1939.
20.	Edward McCormack	25th September, 1939.
21.	Donald Alexander MacKenzie	6th September, 1939.
22.	Ian Merritt McLean	29th August, 1939.
23.	Norman Edward Newman	14th September, 1939.
24.	John Norman Paterson	8th September, 1939.
25.	William Gladstone Perry	5th September, 1939.
26.	William John Shea	28th September, 1939.
27.	Benjamin Shekter	18th September, 1939.
28.	Albert Edwin Shepherd	3rd August, 1939.
29.	John Ian Smith	2nd August, 1939.
30.	John Murphy Teal	21st September, 1939.

	II. MATRICULANTS.	
31.	Lloyd Treleaven Aiken	21st August, 1939.
32.	Kenneth Anthony Devlin	18th September, 1939.
33.	William John Dyke	18th September, 1939.
34.	John Joswiak	16th August, 1939.
35.	Douglas Garney Milne	11th September, 1939.
36.	Frederick Joseph McMahon	2nd October, 1939.
37.	David James Thomas	16th August, 1939.
38.	William Anthes Willson	26th July, 1939.

Approved.

SUPPLEMENTAL EXAMINATIONS—September, 1939.

FIRST AND SECOND YEARS.

The record of the returns of the examiners of the supplemental examinations for the First and Second years, is submitted herewith.

Approved.

OSGOODE HALL LEGAL AND LITERARY SOCIETY.

RE MOOT COURT.

The Society requests the use of Convocation Hall for one evening during the week of November 13th for the purpose of conducting the annual fall criminal trial of the moot court.

The Committee recommends that the request be granted on arrangements being made satisfactory to the Chairman and the Secretary.

A. J. MACLEOD.

Of Sydney, N.S., requests that he be permitted to attend the Law School for the current session as a special student. Pursuant to the recommendation of this Committee Mr. MacLeod submits a request from the Secretary of the Nova Scotia Barristers Society.

The Committee recommends that the request be granted.

CHARLES DEAN KENT.

This student having discontinued his law course was granted a refund of his admission fee on September 18th, 1939.

The Committee recommends that his name be removed from the Common Roll.

THE REPORT WAS ADOPTED.

DEAN'S REPORT.

Mr. Denison presented the report of the Dean of the Law School, as follows:

ANNUAL REPORT OF THE DEAN OF THE LAW SCHOOL.

14th September, 1939.

1. I beg leave to submit my sixteenth annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1938-1939:

Registration of Students.

2. The number of students registered and in attendance at the law school during the last two years was as follows:

	1937-1938.	1938-1939.
First year	101	118
Second year	110	108
Third year	98	111
	309	337

Hours of Class Instruction.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1938-1939 was as follows:

	First year	*Second year*	*Third year*	*Total*
The Dean	44	84	42	170
Dr. MacRae	36	40	82	158
Dr. Wright	94	......	78	172
Mr. Clute	36	44	42	122
Mr. Foster	30	32	24	86
Mr. Spence	......	......	32	32
Mr. Morden	......	36	......	36
Mr. McFadden	18	......	......	18
Mr. Macdonald	42	......	......	42
Mr. Edge	......	30	......	30
Mr. Tory	......	34	......	34
	300	300	300	900

Book-keeping and Accounting.

4. Effect was given in the session of 1938-1939 to the extension of the course in Book-keeping and Accounting to the Third year, and the students were required to pass an examination on the subject, as outlined in paragraph 4 of my annual report for the session of 1937-1938. The number of lectures given by Mr. Glassco was 22, and I recommend that a similar course be given in the session of 1939-1940 by Mr. Glassco or by some other person approved by him, and that an examination on the subject be held at such convenient date in the session as may be fixed by the Lecturer.

Teaching Staff.

5. Mr. Clute having relinquished his course on Mortgages to the Third year, Convocation has appointed Mr. John Clarke Thomson, K.C., as lecturer on Mortgages and Sales of Land. On my recommendation Convocation has reappointed Mr. Clute lecturer in Criminal Law and Sale of Goods, and has reappointed the other part-time lecturers, all for a further term of one year from May 31st, 1939.

Examinations for Matriculant Students.

6. In accordance with Rule 86D two examinations were held in April 1939, for students of the matriculant class who were not in attendance at the Law School during the session of 1938-1939, and I recommend that similar examinations be held in April, 1940, as follows: (1) An examination on Marriott's English Political Institutions (4th edition, 1938) and certain prescribed documents for students who will be in the second year of their service under articles, and (2) an examination on Kennedy's Constitution of Canada (2nd edition, 1938) for students who will be in the third year of their service under articles.

All of which is respectfully submitted.

"JOHN D. FALCONBRIDGE,"
Dean.

It was ordered that the Report be received and that the recommendations of the Dean therein be approved.

Mr. Bullen spoke of the suggestion of giving lectures in the Third year of the Law School on the subject of Ethics and the matter was referred to the Legal Education Committee for consideration.

RE MILITARY SERVICE.

Mr. G. L. Smith presented the report of the Joint Committee herein.

At the meeting of Convocation on September 21st, 1939, it was ordered that the matter of all regulations dealing with Military Service be referred to a Joint Committee composed of the Finance and Legal Education Committees.

The Committee recommends that this Committee as presently constituted be continued for the above purposes for the duration of the war.

RE MILITARY SERVICE.

RE BARRISTERS AND SOLICITORS FEES.

The Committee recommends that from December 1st, 1939, annual fees be not charged to Barristers and Solicitors who are engaged in active service in His Majesty's Forces and that the reports issued by the Society be supplied to them as usual during their periods of service.

RE LAW SCHOOL FEES.

The Committee recommends that Law School fees paid by students who are now or become engaged in active service in His Majesty's Forces, be refunded.

RE ADMISSION FEES.

The Committee recommends that applications for a refund of admission fees by students who become engaged in active service in His Majesty's Forces be considered on the merits of each case.

RE LAW SCHOOL STANDING AND SERVICE UNDER ARTICLES.

The Committee recommends that the question of any exception to the Rules of the Society with reference to Law School attendance, examinations, or service under articles in cases where students are engaged on active service in His Majesty's Forces, be deferred for future consideration.

RE CANADIAN OFFICERS TRAINING CORPS.

In view of an expression of opinion by the Students at the Law School through the Osgoode Hall Legal and Literary Society and of enquiries from members of the profession, the Committee discussed this subject and had the benefit of the advice of the Honourable Mr. Justice Hope and Major Barry Watson of the University of Toronto C.O.T.C.

It was moved and unanimously carried, that the Society apply for authority to form an Osgoode Hall unit of the C.O.T.C. such unit to include students and graduate Barristers and Solicitors, and the Secretary was instructed forthwith to make the necessary application to the District Officer Commanding Military District No. 2.

The Committee recommends approval by Convocation of the above action.

RE GOVERNMENT SERVICES.

On September 21st, 1939, Convocation considered certain correspondence between the Treasurer and the Honourable the Minister of Justice with reference to the co-operation of the Society in recommending suitable Barristers for essential Government services. Convocation recorded its approval of the plan and expressed its willingness to co-operate with the Minister of Justice. It was ordered that the matter be referred to the Treasurer with power to appoint a special committee if required.

After further consideration of this correspondence and with the approval of this Committee, the Treasurer appointed the following special committee herein—The Treasurer and Messrs. Mason, McRuer and Carson.

THE REPORT WAS ADOPTED.

The Treasurer reported that he had followed up the formal application for authority to form an Osgoode Hall unit of the Canadian Officers Training Corps by writing the Honourable the Minister of National Defence.

FINANCE COMMITTEE REPORT.

MR. G. L. SMITH.

ANNUAL FINANCIAL STATEMENT—1938-1939.

The annual statement for the year ending 31st August, 1939, as certified by the auditor, Messrs. Clarkson, Gordon, Dilworth and Nash, is submitted herewith for approval for publication pursuant to the Rules.

ESTIMATES 1939-1940.

An estimate of the probable receipts and expenditures for the year 1939-40 is submitted herewith.

MONTHLY STATEMENT—September, 1939.

The usual monthly statement was presented.

RE CHARGE FOR ANNUAL STATUTES—1940 Dominion and Ontario.

The Committee recommends that the charge to the members of the profession for the annual statutes be fixed at $5.50 the same as last year.

THE REPORT WAS ADOPTED.

It was ordered that the Annual Financial Statement for the year ending 31st August, 1939, be printed in the O.W.N.

The Treasurer spoke of the valuable services of Mr. G. L. Smith as Chairman of the Finance Committee and informed Convocation that Mr. Smith had decided to remain as Chairman until the end of his present term.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar:

1. Frederick Sylvester Doyle.
2. Maurice Frances Coughlin.
3. John Foster Easterbrook.
4. John Erick Lamminen.
5. Grant Wade Toole.
6. John Albert Deacon.

Convocation adjourned at 1 p.m.

Meeting resumed at 2.10 p.m. a quorum being present.

DISCIPLINE COMMITTEE.

JOSEPH MORTIMER GOULD.

Mr. Dunbar presented the report of the Discipline Committee herein.

Mr. Dunbar referred to a letter dated October 18th, 1939, from Mr. A. A. Macdonald, K.C., on behalf of the Solicitor.

The Solicitor attended with his counsel, Mr. A. A. Macdonald, who addressed Convocation.

Mr. Dunbar moved the adoption of the report.

The report of the Discipline Committee in the matter of Joseph Mortimer Gould, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Joseph Mortimer Gould guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Joseph Mortimer Gould be suspended from practice as a Barrister and Solicitor for the period of six months from the 19th day of October, 1939.

ORDERS.

The Secretary placed before Convocation the following Orders:

RE HARRY JAMES SHANAHAN—Order Striking off the Rolls.

RE STANLEY DOUGLAS—Order Striking off the Rolls.

LIBRARY COMMITTEE REPORTS.

MR. YOUNG.

Pursuant to the authority granted by Convocation the Committee appointed Mr. George A. Johnston to the office of Chief Librarian, his duties to begin as of August 1st, 1939.

The Committee recommends the appointment of the following students to act as Night Librarians for the term of 1939-1940, viz.:

N. F. H. Berlis	Third year.
W. H. Fox	Third year.
G. A. McNabb	Second year.
Jas. Worrall	Second year.

and that the Great Library be opened in the evenings (except Saturdays) from 7.30 to 10.30 p.m. and on Saturday afternoons from 2 to 5 p.m. commencing on September 18th, 1939.

The Committee recommends that an invitation be sent to the American Association of Law Libraries, to hold their 1940 convention here.

On motion of Mr. Young the report was adopted, except as amended or altered by the report of the Committee dated October 13th, 1939.

ALTERATIONS AND EXTENSION OF LIBRARY.

The Committee recommends that the alterations referred to in the estimates be made; that the Redfern Construction Company Ltd. do the work; that the Treasurer and Librarian obtain competitive tenders for the new book-cases and tables, and that 5 sections of newspaper stacks be purchased at a price of not over $110.00.

LIBRARY STAFF.

The Committee recommends the appointment as from November 1st, 1939, of Harry Mullins and of Douglas Robinson, to assist with the library work, as directed by the Chief Librarian.

The Committee recommends the appointment by the Chief Librarian in consultation with the Treasurer, of a Cataloguer-stenographer to commence work as soon as possible, and the purchase of suitable equipment for her.

MR. JUSTICE RIDDELL'S PRESENTATION OF SCOTT ON TRUSTS.

The Committee recommends that Convocation acknowledge with thanks, the receipt of this work.

MR. DALEY.

The Committee recommends that Mr. Daley's resignation on a retiring allowance be accepted, and his offer of advice and assistance gratefully acknowledged; also that Convocation be asked to place on record a sincere expression of its appreciation of the services rendered by Mr. Daley to the Law Society.

ELECTION OF VICE-CHAIRMAN.

Mr. C. F. H. Carson was elected Vice-chairman of the Committee.

On motion of Mr. Young the report was adopted including the estimates of the cost of the proposed alterations in the Great Library and West Wing, and the reorganization of the Library staff.

REPORTING COMMITTEE REPORT.

Ordered that the consideration of the report be deferred to the November meeting of Convocation.

UNAUTHORIZED PRACTICE COMMITTEE REPORT.

At the request of the Chairman, Mr. McRuer presented the report.

RE PATENT AGENTS.

A report upon progress was made on behalf of the Special Committee appointed to confer with a committee of the Patent Institute of Canada. The Special Committee was instructed to continue its negotiations with the Patent Institute and it was directed that a copy of a letter with proposed amendments to the Patent Act be sent to all members of the Committee.

RE BARRISTERS AND SOLICITORS STRUCK OFF.

The Committee has been informed by the Attorney-General that upon report to him that any King's Counsel has been struck off the Rolls, an Order-in-Council will be passed revoking his patent as King's Counsel.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

At the request of the Chairman, Mr. McNevin presented the report.

The matter of the payment of the grant to the Sault Ste. Marie Association was postponed until further assurances satisfactory to the Chairman, are made regarding the payment of indebtedness.

The Committee approves payment of the expenses to the Chief Librarian for his inspection of the County Libraries.

Several matters as to the improvement of County Libraries were discussed.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read a letter from Mrs. W. N. Ponton, expressing her thanks for the expression of sympathy sent by the Benchers.

Ordered that the letter be received and filed.

The Treasurer read a letter from Mr. David Robertson, K.C., with reference to the cost of legal books.

Ordered that no action be taken.

RE J. J. DALEY.

On motion of the Chairman of the Library Committee the following resolution was unanimously adopted:

Mr. John Joseph Daley, the retiring Chief Librarian, was engaged as a temporary assistant in the Library in 1882 and was appointed an Assistant Librarian in 1884. At this time and throughout his first thirty years of service, the Secretary of the Society had "immediate and general charge of the Library under the superintendence of the Library Committee." It was not until September 13, 1912, that Rules 36(7) and 38(8) were amended to provide for the appointment of a "Chief Librarian, a First and Second Assistant Librarian, and a Curator of the Phillips Stewart Library", their respective salaries being fixed by an amendment of Rule 46.

After forty years of service Mr. Daley was appointed Chief Librarian to succeed Mr. Charles Elliott on the 19th October, 1922, and he has ably and faithfully and with unfailing courtesy discharged the important and onerous duties of that position until his retirement in July of this year.

During this unique record of fifty-seven years of continuous service in the Library there has been a steady development of from less than 25,000 volumes to approximately 90,000; an American Room has been established and equipped; provision has been made for the use of the library five evenings a week, and his personal inspection twice a year of the forty-two County Libraries has been added to the Chief Librarian's duties.

Convocation desires to place on record its sincere and grateful appreciation of the faithful and efficient services that have been rendered by Mr. Daley to Convocation and to the Bench and Bar of this province.

RE BARRISTERS ON ACTIVE SERVICE.

The Treasurer referred to the practice of accepting briefs in the names of Barristers on service, as adopted in England during the war 1914-18.

Ordered that the matter be referred to Mr. J. S. Denison for consideration and report.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 16TH NOVEMBER, 1939.

PRESENT—The Treasurer and Messrs. Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Hellmuth, Herrington, Kerr, King, Marshall, Mason, Middlebro, McNevin, McRuer, Nickle, Roebuck, Seymour, Shaver, Sinclair, Smith, Sweet, White, and Young.

The Minutes of the meeting of Convocation of 19th October, 1939, were read and confirmed.

The Treasurer, on behalf of Convocation, extended a welcome to MR. W. S. HERRINGTON, K.C., of Napanee, elected a Bencher on 21st September, 1939.

The Treasurer announced the death on November 3rd, 1939, of the HONOURABLE HUGH GUTHRIE, P.C., K.C., sometime Minister of Justice and Attorney-General of Canada, and a Bencher of this Society ex officio, and it was ordered that the expression of sincere regret of the Benchers be recorded in the Minutes.

The Treasurer announced the death on November 1st, 1939, of A. W. PATRICK BUCHANAN, ESQ., K.C., Batonnier of the Bar of Quebec, and it was ordered that the expression of sincere regret of the Benchers be recorded in the Minutes.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES.	DATE.
1. Frank Molinaro	26th October, 1939.
2. Alexander Barrett Macdonald	21st September, 1939.
3. George Wood Willard Stoddart	15th September, 1939.
II. MATRICULANT.	
4. Lloyd Arthur May	15th September, 1939.

Approved.

RE LECTURES IN ETHICS—3RD YEAR.

This matter was referred by Convocation to this Committee for consideration and report.

The Committee approves in principle of the giving of such lectures and recommends that the matter be referred to the Chairman to confer with the Dean and to report on possible arrangements.

RE J. L. JEFFERIES—3RD YEAR.

A special petition by the above student was considered and certain special relief granted thereon.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENT—OCTOBER, 1939.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

ORDER.

The Secretary placed before Convocation the following Order —re Joseph Mortimer Gould—Order suspending for six months.

LIBRARY COMMITTEE REPORT.

At the request of the Chairman, Mr. Shaver presented the report.

AMERICAN ASSOCIATION OF LAW LIBRARIES.

The Committee recommends that the Chief Librarian become a member of the American Association of Law Libraries, the annual fee of $5.00 to be paid by the Society, and the Association's Journal and Legal Directory to come to the Library.

TOWNSHIP LAWS, LAW OF CONSTABLES, LANDLORD & TENANT, &C., 1835.

The Committee recommends that the above book be purchased from the party offering it, at a price of $2.00.

BOOKS GOING OUT OF THE LIBRARY.

The Committee recommends that the rules as to taking books out, be strictly enforced.

THE REPORT WAS ADOPTED.

RE HUMIDIFIERS.

GREAT LIBRARY.

Mr. Shaver spoke with reference to the two tenders submitted for such installation and to Mr. A. Heeney's memorandum.

Moved by Mr. Shaver, seconded by Mr. White, and carried that this matter be referred to a Special Committee to be named by the Treasurer, and that the Special Committee report thereon to the next meeting of the Library Committee.

The Treasurer appointed the following Special Committee herein—Messrs. Carson, Shaver, and White.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar:

1. James McLaurin Whyte.
2. William Rutherford Barnes.

3. John Manuel Arnold.
4. Roderick Gilmour Lewis.
5. Charles Harrison Carnahan.
6. Terence Alexander Whitbread.
7. Jack Irwin Armstrong.
8. Carl Way Caskey.
9. Edgar Clement.
10. George Young Clement.
11. Hyman Soloway (with Honours).

REPORTING COMMITTEE REPORT.

In the absence of the Chairman, Mr. White presented the report.

The Committee considered two letters from The Honourable George Lynch-Staunton, K.C., to the Treasurer and directed the Chairman to write to the Treasurer embodying the views of the Committee on the subject matter of the two letters, the consensus of opinion being that changes along the lines suggested in the letters from Mr. Lynch-Staunton should not be made at the present time, but that the matters should receive further consideration by the Committee.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE.

MR. SMITH.

The Joint Committee (Finance and Legal Education) re Military Service, begs leave to report as follows:

RE CANADIAN OFFICERS TRAINING CORPS.

As required by Departmental Instructions the Committee recommends approval of the appointment by the Treasurer of a Committee on Military Education composed of The Treasurer, The Honourable Mr. Justice Hope, and Messrs. G. H. Cassels, K.C., and R. B. Gibson, K.C.

On the advice of the Committee on Military Education, your Committee recommends the appointment of Mr. H. W. A. Foster, D.S.O., M.C., K.C., as Commanding Officer of the Osgoode Hall

Canadian Officers Training Corps, and as a member of the Committee on Military Education.

The Committee considered a letter from the Institute of Chartered Accountants of Ontario with reference to the possibility of the members and students of the Institute being granted the privilege of joining the Osgoode unit of the C.O.T.C.

The Committee recommends that further consideration be deferred for report from the Committee on Military Education.

Re Barristers and Solicitors on Active Service.

At the meeting of Convocation on October 19th, 1939, the Treasurer referred to the practice of accepting briefs in the names of Barristers on service as adopted in England during the war 1914-18 and the matter was referred to Mr. Denison for consideration and report.

The Committee considered certain measures proposed for the protection of the practice of Barristers and Solicitors on service as drafted by Mr. Denison in pursuance of the above direction.

The Committee recommends to Convocation the adoption of the following Resolution:

> The attention of the profession in Ontario is directed to the Resolution adopted by the General Council of the Bar in England and appearing in the English Law Reports Weekly Notes, 1939, at page 561.
>
> With the object of preserving as far as possible the practice of every Barrister and Solicitor who is unable to attend to it owing to service in His Majesty's Forces, IT IS RESOLVED that every Barrister and Solicitor remaining in practice should make it a point of honour:
>
> (a) to do what he can to ensure that every Barrister or Solicitor serving with His Majesty's Forces shall get back his practice when he is able to resume practice;
>
> (b) Meanwhile, so far as is reasonably practicable, and on equitable terms as to sharing of fees, to do any work entrusted to him which would have been done by a serving Barrister or Solicitor but for his absence on such service.
>
> On any brief held on behalf of any Barrister who is on active service with His Majesty's Forces, there shall be

stated in the proceedings that the counsel appearing appears "in the absence of . . . on war service." This shall be stated by the Barrister when appearing in court, and in reporting proceedings, in addition to the name of the counsel appearing, it shall be added that he appears in the absence of . . . on war service.

The Committee further recommends that the above Resolution be printed in 4 issues of the Ontario Reports and the Ontario Weekly Notes.

THE REPORT WAS ADOPTED.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MASON.

The Committee held an evening session last night and considered fully a number of matters which have been under consideration by the Committee for some months.

Mr. McRuer was elected Vice-chairman.

RE PATENT AGENTS.

A report on progress was made by the Special Committee appointed to confer with the Committee of the Patent Institute of Canada. The Secretary is in communication with the Secretaries of other Law Societies, the Canadian Bar Association and the Conference of Governing Bodies, as to their views upon the proposals made by the Committee of the Patent Institute.

RE WILLS.

The Committee was of the opinion that no action should be taken at present with respect to certain complaints received as to certain persons not being solicitors, soliciting members of the public to have their Wills drawn, but asked Mr. McRuer to continue negotiations with representatives of insurance bodies in the hope of obtaining their co-operation in matters of this kind.

RE CHILDREN'S AID SOCIETIES.

The Committee considered a letter raising the question whether officers of Children's Aid Societies should draw up orders or do similar work in connection with the Children's Aid work, but recommend that no action should be taken.

RE LEGISLATION.

The Committee recommend that a Special Committee be appointed consisting of the Treasurer and Messrs. Walsh (Chairman), Marshall, McRuer and Mason, to consider ways and means of obtaining pronouncements upon or amendments to existing legislation affecting the profession, with the right to take opinion of counsel if desired and to report to Convocation.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

SAULT STE. MARIE LAW ASSOCIATION.

The grants for 1936-7-8 have now been paid.

SUDBURY LAW ASSOCIATION.

At our request Mr. Justice Urquhart has kindly inspected the Library of this Association, and submitted a very comprehensive report.

ANNUAL RETURNS.

Annual return notices and forms for 1939 are now being sent out to the County Associations, requesting the filing of these returns as early as possible in 1940.

GOVERNMENT GRANTS.

The Chief Librarian was instructed to send to the Attorney-General the list of 42 County Libraries entitled to share in the usual Government grant. The Committee directed that an application be made at the same time for an increase in the Government grant to County Libraries.

THE REPORT WAS ADOPTED.

ORDERED that Convocation convey to the Honourable Mr. Justice Urquhart its thanks for his valuable assistance in his inspection of and comprehensive report on the Library of the Sudbury Law Association.

MEMORIAL TO THE LATE W. N. PONTON, K.C.

Mr. Herrington presented the report of the Special Committee appointed to prepare a Memorial of the late William Nisbet Ponton, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to his family.

> At the Ponton homestead on the shores of the Bay of Quinte, William Nisbet Ponton passed away on the 6th of September, 1939, in his 85th year. He was born in Thurlow township adjoining the then town of Belleville on the 22nd of January, 1855.
>
> After a thorough grounding in the Public and High Schools of Belleville, he completed his matriculation course at Upper Canada College, attaining the coveted honour of being Head Boy of his year. He maintained the same high standard of scholarship during his four years at the University of Toronto, winning the gold medal in modern languages, when he received the degree of Bachelor of Arts in 1877, later being a member of the Board of Governors of the University. He was admitted as a student-at-law at Osgoode Hall in Trinity Term, 1877, was Called to the Bar in Michaelmas term of 1880 and created a King's Counsel in 1908. He was first elected a Bencher at the quinquennial election of 1926 and re-elected in 1931 and 1936. For fifty-eight years he practised his profession in Belleville. In the autumn of 1938 he met with a serious and painful accident which confined him to his home until his death.
>
> He was a voluminous reader and had a retentive memory which, in course of time, became a storehouse of apt quotations and an extensive vocabulary. Gifted with a pleasing manner, a penetrating voice and a natural eloquence, he was in great demand as a public speaker and was most generous in his willingness to use his enviable talents in any worthy cause.

In 1883 he married Miss May E. Sankey of Toronto. She predeceased him in 1919 and in 1923 he married Miss Enid Logan of New York who survives him.

Colonel Ponton was most widely known through his connection with the Masonic Order. He was Past Grand Master of the Grand Lodge of Canada in the Province of Ontario and Past Grand Principal of the Grand Chapter of Ontario and an honorary member of Moira Lodge of London, England.

After returning home upon the completion of his education, he joined the Argyle Light Infantry and rose to the rank of Lieutenant Colonel in command of the Regiment, which he held from 1895 to 1901. After handing over his command he was appointed Brigade Major and eventually received his full Colonelcy. Upon relinquishing his command of the Argyles he was appointed Honorary Colonel of the Regiment.

He was always prepared to concede to those who differed from him that same honesty of purpose by which he himself was actuated.

As we recall his diversified activities and the undiminished vigor with which he pursued them, even after passing his four score years, we are reminded of a favourite quotation of his, "My age is as a lusty winter, frosty but kindly."

CORRESPONDENCE.

The Treasurer referred to a letter from V. C. MacDonald, K.C., Dean Dalhousie Law School, enclosing copies of his paper read at the meeting of the Conference of Governing Bodies on "Bar Admission Requirements and Reciprocal Arrangements for the Transfer of Barristers and students in the Common Law Provinces" and a copy of a resolution adopted by the Conference, and a letter from the Conference with reference to this matter.

ORDERED that the correspondence be referred to the Treasurer and Mr. Denison, with power to the Treasurer to appoint a Special Committee to consider and report to January Convocation.

The Treasurer read a letter from the President of the Toronto Branch of the Royal Military College Club of Canada, thanking Convocation for the use of a lecture room for the Club's Refresher course.

ORDERED that Convocation approve of the privilege extended to the Club and that the letter be received and filed.

RE SUCCESSION DUTY ACT 1939.

Mr. Sweet spoke of the question of Solicitors' privilege as affected by the above Act and suggested that Convocation might consider a proposed amendment to the effect that a Solicitors' privilege be removed only in cases where fraud is shown to exist.

Moved by Mr. Mason, seconded by Mr. Sweet, and carried, that the matter be referred to a Special Committee composed of Messrs. Nickle, King and Herrington.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH JANUARY, 1940.

PRESENT—The Treasurer and Messrs. Aylen, Bullen, Carson, Denison, Dunbar, Fuller, Hon. W. A. Gordon, Hellmuth, Herrington, Kerr, King, Marshall, Mason, McCrea, McNevin, McRuer, Seymour, Sims, Sinclair, Slaght, Smith, Walsh, White and Young.

The Minutes of the meeting of Convocation of 16th November, 1939, were read and confirmed.

ELECTION OF BENCHER.

Moved by Mr. Smith, seconded by Mr. Hellmuth and unanimously carried, that MR. ROBERT CECIL HAMILTON CASSELS, K.C. be elected a Bencher to fill the vacancy caused by the death of the late Ward Wright, K.C.

On motion, Mr. R. C. H. Cassels, K.C. was appointed a member of the following committees—Finance, Legal Education, Reporting and Discipline.

SPECIAL COMMITTEE ON THE SURVEY OF THE ADMINISTRATION OF JUSTICE IN ONTARIO.

Mr. Mason presented the report of the Special Committee herein.

RE SURVEY OF THE ADMINISTRATION OF JUSTICE IN ONTARIO.

The Special Committee herein, appointed by Convocation on the 19th January, 1939, begs leave to report as follows:

The Committee has met several times.

On two occasions it had discussions with Mr. Barlow as to the nature of the matters with which he proposed to deal. These discussions did not include the amendments to the Rules set forth in his report to The Honourable The Attorney-General but did include many of the more important of the suggestions made in the report pertaining to grand juries, petty juries, changes in the number, arrangement and jurisdiction of certain courts, and other matters. While there was considerable expression of opinion in these discussions it was obvious that there would be much difference of opinion in the profession at large as to proposed changes and your Committee felt it had no mandate to express, and did not express, as a committee, approval or disapproval of the proposals made. The Committee has appreciated the great amount of care and research Mr. Barlow has expended in his task and hopes that whatever objections may be taken by members of the profession to the proposals made, this will not prevent careful consideration of a valuable report.

THE REPORT WAS ADOPTED.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES	DATE
1.	Alfred James Henderson	17th October, 1939.
2.	Douglas Niel McIntyre	27th October, 1939.
3.	Ian Grant Wahn	24th November, 1939.
4.	James Kennedy Winters	5th December, 1939.

Approved.

Call to the Bar—Special.

William Andrew Travers Sweatman having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Manitoba, has applied to be Called to the Bar of Ontario under Rule 133(d).

Approved.

Re Admission Requirements.

The Committee considered the recent Departmental changes in Middle and Upper School examinations and also the correspondence with reference to the suggestion of the Honourable Mr. Justice Urquhart that four years in Medicine be allowed for purposes of admission as equivalent to a degree in Arts, Science or from the Royal Military College. The Dean submitted certain proposed changes in the Rules for admission.

The Committee recommends the adoption of the Rule proposed by the Dean as amended.

ORAL EXAMINATIONS—Rule 132A.

The Committee recommends that this matter be referred with power to act, to a sub-committee composed of Messrs. Denison and Carson.

RE BOOKKEEPING AND ACCOUNTANCY LECTURES.

MR. J. GRANT GLASSCO, due to his retirement from the firm of Clarkson, Gordon, Dilworth & Nash, is unable to continue his lectures in this subject and recommends as his successor Mr. J. R. M. Wilson, C.A. of the same firm. In accordance with the annual report of the Dean dated 14th September, 1939, duly adopted by Convocation, the Committee recommends that Mr. Wilson be appointed lecturer in this subject.

ALOYSIUS NEVILLE—2nd year.

A special petition by the above student was considered and certain special relief granted thereon.

A. P. GILMORE—3rd year.

A special petition by the above student was refused.

Mr. Denison moved the adoption of the report.

Moved in amendment by Mr. McCrea, seconded by Mr. Walsh, that the special petition of Mr. A. P. Gilmore, be referred back to the Legal Education Committee for reconsideration.

The amendment was lost.

THE REPORT WAS ADOPTED.

RE RULE 86B.

Moved by Mr. Denison, seconded by Mr. Carson—

THAT Rule 23 be suspended.

THAT Rule 86B be repealed and the following New Rule 86B, be substituted therefor:

"86B. Subject to rule 88 any British subject (hereinafter called the applicant) may be admitted as a student-at-law of the MATRICULANT CLASS who presents—

(1) a certificate or certificates of the Department of Education for Ontario that the applicant has written the examinations

of the Upper School and has been granted credit (at least 60 per cent. on each paper) in the following subjects of the *Upper School*—

LATIN (Authors; Composition).
ENGLISH (Literature; Composition).
HISTORY.
FRENCH (Authors; Composition).

and either (a) any *one* of the following subjects—

GREEK (Authors; Composition).
MATHEMATICS (Two of: Algebra; Geometry; Trigonometry).
SCIENCE (Physics; Chemistry).

or (b) any *two* of the following subjects—

GERMAN (Authors; Composition).
ITALIAN (Authors; Composition).
SPANISH (Authors; Composition).

or (2) a certificate from the registrar or other proper university or college officer that the applicant has been granted credit (at least 60 per cent. on each paper) in all the subjects prescribed in the first year of any course in the Faculty of Arts in the University of Toronto, Queen's University, Kingston, or the University of Western Ontario, London, or any other University approved by Convocation, or in all the subjects prescribed in any complete first year course in the Royal Military College, Kingston."

and THAT the following temporary rule be adopted—

RULE 86E.

(1) Rule 86B, as amended 18th January, 1940, shall apply to petitions for admission to the Law Society for the Law School session of 1941-1942.

(2) Rule 86B, as it stood before the amendment, shall apply to petitions for admission to the Law Society for the Law School session of 1940-1941.

(3) The Legal Education Committee shall have discretionary power to admit candidates for the Law School session of 1940-1941 in exceptional cases, as, for example in the case of a candidate who has complied with the require-

ments of Clause (2) (a) of Rule 86B, as it stood prior to the amendment, but is unable to comply with clause (1) by reason of the abolition of examinations in the Middle School."

THE MOTION WAS CARRIED.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar—

1. John Morrow Godfrey, with Honours, Silver Medal and equal with one other for the Christopher Robinson Memorial and Matthew Wilson Memorial Scholarships.
2. William Andrew Travers Sweatman (Special—Manitoba).

PRESENTATION OF MEDAL.

Mr. John Morrow Godfrey was presented with the Silver Medal awarded to him at the Easter, 1939, examinations.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENTS, NOVEMBER AND DECEMBER, 1939.

The usual monthly statements were presented.

RE A. W. CHALMERS.

On the 14th November, 1939, your Committee recommended a refund of the above student's admission fee.

The Committee now recommends that the student's name be removed from the Common Roll.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

RE DAVID EDGAR DEAN.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor attended with his counsel, Mr. A. R. Hassard, K.C. and both addressed Convocation.

The Report of the Discipline Committee in the matter of David Edgar Dean, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said David Edgar Dean guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said David Edgar Dean be disbarred.

That the said David Edgar Dean is unworthy to practise as a Solicitor.

RE MORRIS POMER.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor attended with his counsel, Mr. A. A. Macdonald, K.C. who addressed Convocation.

The report of the Discipline Committee in the matter of Morris Pomer, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Morris Pomer guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Morris Pomer be suspended from practise as a Barrister and Solicitor for the period of three months from the 18th day of January, 1940.

Convocation adjourned at 1.40 p.m.

Meeting resumed at 2.40 p.m. a quorum being present.

The Treasurer announced that on January 19th Sir William Mulock would celebrate his 96th birthday and that on January 22nd the Honourable Hugh T. Kelly would celebrate the 50th anniversary of his wedding.

Convocation directed that flowers and cards of congratulations be sent to both Benchers.

SPECIAL COMMITTEE ON THE SUCCESSION DUTY ACT, 1939.

Mr. King read a letter dated December 21, 1939, which Mr. Nickle, the chairman, had sent to the Prime Minister and the Attorney-General of Ontario on behalf of the Special Committee, and reported that no reply had been received.

Mr. King stated that the committee would continue and report later.

LIBRARY COMMITTEE REPORT.

Mr. Young.

Humidifiers.

At the meeting of Convocation held on the 16th November, 1939, tenders with reference to the installation of humidifying equipment in the Great Library, the American Room, the Benchers' Library and Convocation Hall were presented and the matter referred to a special committee to report to the Library Committee.

The Treasurer appointed Messrs. Carson, Shaver and White to the Special Committee which met on the 6th December, 1939, and considered the matter.

After due consideration of the question of policy involved, the structural changes necessary and the expense of the installation, the Special Committee recommended to the Library Committee, and the Library Committee recommends that further consideration of the matter be deferred for the present.

Library Alterations.

The Committee approved and recommends the adoption of the following plans:

1. That a partition, with doors up and down, be erected to shut off the stairways at the west end of the building on the main library floor.

2. That the high book-cases now in the Great Hall, be replaced by new four-shelf oak book-cases of the type of which two are now in position there, and that as many of the old book-cases as are necessary be used in the old Robing Room, when such book-cases are altered to the satisfaction of the Committee.

LENDING BOOKS.

The Committee recommends against the sending out of books which the Rules require to be kept in the Great Library and against the purchase of extra copies for sending out.

AMERICAN ASSOCIATION OF LAW LIBRARIES.

This Association has accepted the invitation of the Society to hold its 1940 Convention in Toronto and it is to be held here from June 26th to 29th next.

The Treasurer reported further on the progress with the Library Extension and on the problem of lighting that had arisen in the Great Library and stated that nothing further would be done until the Library Committee had met to consider the matter further.

The Treasurer reported that at the 1940 Convention of the American Association of Law Libraries it was planned to hold the opening meeting in Convocation Hall with an address of welcome by the Treasurer, and a dinner at the Royal York Hotel with a guest speaker from the Bench or Bar of Toronto.

The Library Committee report was adopted except the paragraph re "Lending Books" which was referred back to the Committee for further consideration.

SPECIAL COMMITTEE ON CERTIFICATES OF NOTARIES' QUALIFICATIONS.

Mr. Walsh presented the report of the Special Committee herein.

RE CERTIFICATES OF NOTARIES' QUALIFICATION.

The Special Committee, appointed by Convocation on the 20th October, 1938, begs leave to report as follows:

The Committee was asked to consider the recent change in procedure made by the Provincial Secretary by which a certificate certifying that a Notary Public is duly qualified to act as such must be obtained from the Provincial Secretary's Department rather than from the Clerk of a County Court as was previously the practice.

The Committee recommends that Mr. Bullen, the chairman of this Committee, confer with the Provincial Secretary forthwith with a view to the restoration of the former practice, and to suggest that arrangements be made for the allocation of the fees to the Provincial Secretary's Department.

RE TRANSFER AGENTS.

The Committee was also asked to consider the present practice with reference to the transfer of shares, moneys on deposit or transfer of any other assets belonging to an estate. The present practice requires the production of authenticated copies of the Letters Probate or Letters of Administration.

The Committee is of the opinion that notarial copies should be accepted for this purpose. Any change in the present practice would require an amendment of Section 62 of the Ontario Companies Act and if such amendment were made corresponding amendments should be made in the Evidence Act, and other relevant Acts.

The Committee recommends to Convocation that representations be made to the Attorney-General urging the necessary amendments to the Companies Act, the Evidence Act, and other relevant Acts.

THE REPORT WAS ADOPTED.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman, Mr. McRuer presented the report of the Committee.

1. The suggestions forwarded to the other Law Societies of Canada with respect to a proposed arrangement with the Patent Institute of Canada, have been approved by five Societies. In Prince Edward Island and Saskatchewan consideration is deferred. No report has been received from Manitoba.

2. The Honourable the Attorney-General has instructed—

(1) That an Order-in-Council be prepared dealing with King's Counsel who have been disbarred since January 1, 1915;

(2) That legislation be prepared amending The Notaries Act so that the commissions of notaries public who have been or may be struck off the Rolls shall be revoked.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Annual Grants 1940.

The following County Law Associations having filed their Annual returns for the year 1939 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Law Libraries the Committee recommends that Grants be paid to them, as follows:—

Brant	$824.70
Bruce	210.67
Dufferin	320.27
Elgin	570.00
Frontenac	640.00
Grey	457.33
Haldimand	290.00
Hamilton ($1,825.00) maximum	1,500.00
Huron ($270.52 less $25.00 on loan)	345.52
Kenora	286.67
Kent	770.00
Lambton	746.70
Leeds & Grenville	492.67
Lincoln ($868.00 less $100.00 on loan)	768.00
Middlesex ($1,448.00 less $50.00 on loan)	1,398.00
Nipissing	310.00
Norfolk	340.00
Ontario	480.00
Oxford	346.67
Perth	584.00
Sault Ste. Marie ($460.00 less $100.00 on loan)	360.00
Simcoe	394.94
Sudbury	451.34
Thunder Bay	351.67
Welland	650.00
	$13,889.15

The Committee recommends that in making the Grants to the County Associations, after those made on the 1939 Annual Returns, such grants shall be based only upon fees paid in by members of the Associations who are members of the Law Society.

BOOKS PURCHASED.

The Committee has recommended that the Chief Librarian send to the County Law Associations, copies of his reviews of law books recommended to the Library Committee for purchase for the Great Library.

THE REPORT WAS ADOPTED.

RE "BAR ADMISSION REQUIREMENTS AND RECIPROCAL ARRANGEMENTS, ETC."

Mr. Denison reported progress and asked that the Special Committee consisting of The Treasurer and himself be continued to report later.

RE OSGOODE HALL CONTINGENT CANADIAN OFFICERS TRAINING CORPS.

The Treasurer reported on the organization of the contingent and the progress in training to date.

Convocation recorded its approval of the arrangements made and of the giving of some publicity to the organization in the Society's reports and the press.

MEMORIAL TO THE LATE W. D. HOGG, K.C.

The Treasurer appointed Messrs. Aylen, Herrington and Nickle a Special Committee to prepare a Memorial to the late W. D. Hogg, K.C.

MEMORIAL TO THE LATE WARD WRIGHT, K.C.

The Treasurer appointed Messrs. White, Carson and McRuer a Special Committee to prepare a Memorial to the late Ward Wright, K.C.

SPECIAL COMMITTEE ON LEGISLATION.

The Treasurer reported on progress to date and on certain proposed amendments to the Law Society Act and the Solicitors Act.

ORDERED that the matter be referred back to the Special Committee with full power to act.

CORRESPONDENCE.

The Treasurer read a letter of thanks from Mr. Donald Guthrie for the expression of sympathy sent by the Benchers on the death of The Honourable Hugh Guthrie, P.C., K.C.

The Treasurer read a letter of thanks from Mrs. Ward Wright and Mr. Peter Wright for the expression of sympathy sent by the Benchers on the death of Mr. Ward Wright, K.C.

The Treasurer read a letter of thanks from the Honourable Mr. Justice Hogg for the expression of sympathy sent by the Benchers on the death of Mr. W. D. Hogg, K.C.

The Treasurer read a letter from Sir Allen Aylesworth expressing his appreciation of flowers sent by the Benchers on the occasion of his recent birthday.

The Treasurer read a letter from the Honourable Mr. Justice Chevrier with reference to his inspection of certain County Libraries on behalf of the Society.

The Treasurer read a letter from Mr. J. J. Daley, retired Librarian, expressing his appreciation of the illuminated copy of a Minute of Convocation of October 19th, 1939.

ORDERED that the above correspondence be received and filed.

The Treasurer read a letter from Mr. G. E. McCann, Barrister, with reference to certain requirements of the Under-Secretary of the Province of Quebec, on notarial documents.

ORDERED that the letter be referred to the Special Committee on Notaries' Qualifications.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH FEBRUARY, 1940.

PRESENT—The Treasurer, The Hon. Hugh T. Kelly, and Messrs. Aylen, Bullen, Carson, Cassels, Davis, Dunbar, Fuller, Hon. W. A. Gordon, Hays, Hellmuth, Herrington, Marshall, Middlebro, McNevin, Rodd, Seymour, Shaver, Sinclair, Smith, Sweet, Walsh, White and Young.

The Minutes of the meeting of Convocation of 18th January, 1940, were read and confirmed.

The Treasurer, on behalf of Convocation, extended a welcome to MR. R. C. H. CASSELS, K.C. elected a Bencher on the 18th January, 1940.

The Treasurer referred to the death on February 11th, 1940, of HIS EXCELLENCY THE RIGHT HONOURABLE LORD TWEEDSMUIR, Governor-General of Canada, a Bencher of this Society, AND IT WAS ORDERED that the following minute be recorded—

> The Benchers of the Law Society of Upper Canada in Convocation assembled on this 15th day of February, 1940, record their sincere regret and their irreparable loss in the death of His Excellency The Right Honourable Lord Tweeds-Muir, Governor-General of Canada, a Bencher of this Society.
>
> The Legal profession in Ontario was greatly honoured by His Excellency's association with the Society. At Osgoode Hall on the 21st of February, 1936, he was Called to the Bar of this Province and elected an Honorary Bencher—the second only in the history of the Society since 1797. On that occasion he delivered an address to the Bench and Bar which will long be remembered. His interest in the profession was deep and sincere and on the 3rd of March, 1939, he graciously attended at Osgoode Hall and formally opened the new wing of the Law Society building. His memory will long be cherished in this Hall which he so signally honoured.

The Treasurer and Benchers of this Society extend to The Right Honourable Lady Tweedsmuir and the members of her family their sincere sympathy in her great loss.

It was ordered that a suitable letter be addressed to Lady Tweedsmuir.

The Treasurer reported that Mr. H. A. Aylen, K.C. had represented the Law Society at the ceremonies in Ottawa on February 14th, 1940, and that the Treasurer and Mr. Carson had represented the Society at the service on the same date at St. Andrew's Church, Toronto.

LEGAL EDUCATION COMMITTEE REPORT.

In the absence of the Chairman, Mr. Carson presented the report.

Examination Results—Christmas, 1939.

First, Second and Third Years.

The record of the returns of the examiners of the Christmas examinations for the First, Second and Third Years, is submitted herewith.

Approved.

Re Oral Examinations—Rule 132A.

Consideration of this matter was referred to the Chairman and Mr. Carson, and further Memoranda were submitted for consideration.

The Committee recommends that Oral Examinations in office practice be held for the First and Third Years, but that the standing obtained be not counted in the year's total and that no penalty attach to failure.

The Committee further recommends that four examiners be appointed—2 for each year—one to be experienced in litigious and one in non-litigious matters, and that subject to the approval of the Finance Committee an honorarium be paid to each examiner; the appointment of such examiners and all arrangements as to details of the examinations be referred to the Chairman and Mr. Carson, with full power to act.

A. W. SILLERY—Third Year.

A special petition by the above student was considered and certain special relief granted thereon.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENT, January 1940.

The usual monthly statement was submitted.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORT.

RE JOHN GARDNER LECKIE.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend, nor was he represented by counsel.

The Report of the Discipline Committee in the matter of John Gardner Leckie, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

IT WAS RESOLVED that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said John Gardner Leckie guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said John Gardner Leckie be disbarred.

That the said John Gardner Leckie is unworthy to practise as a Solicitor.

ORDERS.

The Secretary placed before Convocation the following Orders—

Re David Edgar Dean—Order striking off the Rolls.

Re Morris Pomer—Order suspending for three months.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

HOUSE OF COMMONS DEBATES (Canadian).

The Committee recommends to Convocation that a letter be sent to the Minister of Justice asking that the Debates for 1938 and 1939, and for the future, be sent to our Library as they have been in the past.

CATALOGUER STENOGRAPHER.

Miss Elinor Baker having been employed from November 13, 1939, the Committee recommends that her appointment as Cataloguer Stenographer be approved.

ALTERATIONS IN GREAT LIBRARY.

The Committee reports that it has inspected and considered the alterations made in the Library and the new tables proposed, and the various suggestions for lighting the Great Library, with estimates of cost and maintenance, and recommends that the alterations be approved.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ANNUAL GRANTS, 1940.

The following County Law Associations having filed their Annual Returns for the year 1939 in accordance with Rule 62, the Committee recommends that Grants be paid to them as follows:

Carleton ($1,923.00) maximum	$1,500.00
Cochrane	213.34
Lanark ($286.67 less $50.00 on loan)	236.67
Peterborough	571.27
Rainy River ($160.00 less $25.00 on loan)	135.00
Temiskaming	270.00
Wellington	775.00
York	2,000.00
	$5,701.28

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON THE SUCCESSION DUTY ACT, 1939.

The Treasurer read a copy of a telegram dated January 24th, 1940, which Mr. Nickle, the Chairman, had sent to the Attorney-General following his letter of December 21, 1939, and reported that no reply had been received.

The Treasurer referred to an editorial published in the *Globe and Mail* of February 2nd, 1940, with reference to the Succession Duty Act, 1940, and reported that the Act had been passed by the House.

SPECIAL COMMITTEE ON CERTIFICATES OF NOTARIES QUALIFICATION.

Mr. Bullen reported progress and states his Committee would present a final report at a later date.

SPECIAL COMMITTEE ON LEGISLATION.

Mr. Walsh.

On November 16, 1939, on the recommendation of the Committee on Unauthorized Practice, Convocation appointed a Special Committee consisting of The Treasurer D. L. McCarthy, K.C., and Messrs. Walsh (Chairman), Marshall, McRuer and Mason, to consider ways and means of obtaining pronouncements upon or amendments to existing legislation affecting the profession.

The Committee had numerous meetings considering possible amendments to The Solicitors Act and The Law Society Act and drafts of legislation prepared on their instructions. The proposed legislation was discussed on several occasions with the Honourable Mr. Conant, Attorney-General of Ontario, the Honourable Mr. Leduc, former Attorney-General, and officers of the Department of the Attorney-General. Later two bills were placed before the Legislature by the Attorney-General and were duly passed, after receiving the commendation of the Attorney-

General, the Honourable Mr. Leduc, Mr. Drew, the Leader of the Opposition, and other lawyer members of the House.

The Committee feels that the amendments made by the new legislation will prove to be very helpful in enabling the Law Society to protect not only the interests of the public but also the interests of the profession.

Mr. Walsh read to Convocation Bill No. 42, an Act to Amend the Solicitors Act, and Bill No. 43, An Act to Amend the Law Society Act; and spoke of the assistance given by the Treasurer, Mr. J. R. Marshall and the lawyer members of the Legislature in connection with this legislation.

On Motion of Mr. Walsh THE REPORT WAS ADOPTED, and IT WAS ORDERED that a statement with reference to the two Acts be printed in the Ontario Weekly Notes after their coming into force.

RE BILL NO. 47—AN ACT TO AMEND THE JUDICATURE ACT.

RE BILL NO. 48—AN ACT TO AMEND THE JURORS ACT.

The Treasurer reported that immediately on receipt of copies of these Bills he had called a meeting of the Chairmen of Committees and that at the suggestion of this Committee he had waited on the Attorney-General on the morning of February 8th. While the Treasurer pointed out to the Attorney-General that he had no mandate from Convocation he felt he was representing a number of the Benchers who were vitally interested in the Bills and more particularly Bill No. 48.

The Treasurer called the Attorney-General's attention to the changes in connection with Bills of Indictment and urged that there should be some protection substituted in favour of an accused person. The Treasurer also urged upon him the advisability of adopting the English practice and asked that the Bills be referred to the House Committee on Legislation so that members of the profession might have an opportunity of attending before the Committee and making representations.

MEMORIAL TO THE LATE WARD WRIGHT, K.C.

Mr. White presented the report of the Special Committee appointed to prepare a Memorial of the late Ward Wright, K.C. and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to his family.

Ward Wright died on the 18th November, 1939. He was born in 1885 at Columbus, Ohio, a son of Gordon and Sarah Rowell Wright of London, Ontario. He received his early education at London and was admitted to the Law Society of Upper Canada as a student-at-law in Trinity Term, 1903. He studied under his distinguished uncle, The Right Honourable Newton Wesley Rowell, K.C., P.C., and was Called to the Bar in Trinity Term, 1908. He joined the firm which was then Rowell, Reid, Wilkie & Wood and continued the practice of law in association with the members from time to time of that firm until 1936 when on the appointment of Mr. Rowell as Chief Justice of Ontario on the 23rd September, 1936, the firm was re-organized under the name of Wright & McMillan with Mr. Wright as its head.

He was created a King's Counsel in 1928 and on the 19th September, 1935, became a Bencher of the Law Society of Upper Canada.

He served as Vice-President for Ontario of the Canadian Bar Association from 1935 to 1937 and as Dominion Vice-President of this Association for 1938 and 1939 and but for his unfortunate illness would no doubt have been elected the President of that Association. He took a very active part in the Association's work.

As a lawyer he had in a marked degree the confidence of his clients and had a special faculty of attracting and retaining important professional work. He was regarded as a safe counsellor, particularly in the affairs of corporations in many of which he was either an officer or director.

As a soldier he served with distinction in France with the 3rd Canadian Battalion (The Toronto Regiment) and was severely wounded at the battle of Courcelette. Having been invalided to Canada he served as Commandant at the Military

Hospital at Whitby and with the British Mission to the United States.

As a man he had an especial and peculiar attraction for his fellowmen and made and held a host of warm friends. His untimely death which came at the height of his career is deeply regretted.

He is survived by his wife, formerly Miss Geraldine Robinson, and one son, Peter Wright, practising law as a member of his late father's firm and at present on active service.

By his death the profession lost a valued and esteemed member and one who typified its best traditions. His character was vigorous and forceful but with all kindly and considerate of others.

RE PAPER ON "ENCROACHMENTS".

The Treasurer referred to the paper on "Encroachments" by Mr. G. L. Fraser of the Vancouver Bar, copies of which have been sent to the Benchers.

On motion the paper was referred to the Committee on Unauthorized Practice for consideration and report.

RE CANADIAN BAR ASSOCIATION.

The Treasurer reported on the mid-winter meeting of the Council and announced that subject to cancellation due to war conditions, the Annual Meeting of the Association would be held in Ottawa on August 28th, 29th, and 30th, 1940.

AMERICAN ASSOCIATION OF LAW LIBRARIES.

The Treasurer reported that the opening meeting of the Convention would be held in Convocation Hall on the morning of June 26th, 1940, and would adjourn at 11 a.m. for an inspection of the library.

ORDERED that these arrangements be approved and that the Law Society tender a buffet luncheon to the delegates and guests on that day: and that the choice of the speaker for the Dinner at the Royal York Hotel be referred to the Treasurer with power to act.

CORRESPONDENCE.

The Treasurer read a letter from the County of Carleton Law Association suggesting the printing of the report of F. H. Barlow, K.C. in the Ontario Weekly Notes.

ORDERED that no action be taken but that available copies of the Report be distributed among the County Law Associations on request.

Moved by Mr. Walsh, seconded by Mr. McNevin, and carried that The Treasurer appoint a Special Committee on Legislation to watch for any legislation that may arise out of Mr. Barlow's report and any other legislation that might affect the profession; and to make an effort to have representatives of the Bar appointed to the Committee of Judges to amend the Rules: that the Attorney-General be notified of the appointment of such Committee and that he be asked to give adequate notice to the Committee of any such legislation to be introduced in the Legislature.

The Treasurer appointed the following Special Committee herein—Messrs. Mason, McRuer, Carson, Walsh and White.

The Treasurer referred to a letter from His Honour Judge Owens, President of the County and District Judges Association with an enclosure referring to certain matters in the report of Mr. F. H. Barlow, K.C.

ORDERED that this correspondence be referred to the above Special Committee on Legislation.

The Treasurer read a letter from Sir William Mulock expressing his thanks for the flowers sent by the Benchers on his recent birthday.

The Treasurer read a letter from The Honourable Hugh T. Kelly expressing the thanks of Mrs. Kelly and himself for the flowers sent by the Benchers on the 50th anniversary of their wedding.

ORDERED that these letters be received and filed.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST MARCH, 1940.

PRESENT—The Treasurer and Messrs. Aylen, Bullen, Cassels, Denison, Dunbar, Fuller, Hays, Hon. F. J. Hughes, Kerr, King, Marshall, Mason, Middlebro, McNevin, Seymour, Shaver, Sweet, White, and Young.

The Minutes of the meeting of Convocation of 15th February, 1940, were read and confirmed.

The Treasurer announced the death on March 8th, 1940, of ISAAC BENSON LUCAS, K.C., sometime Attorney-General of Ontario and a Bencher of this Society ex officio, *and it was ordered* that an expression of the sincere regret of the Benchers be recorded in the Minutes.

The Treasurer announced the death on March 19th, 1940, of THE HONOURABLE GEORGE LYNCH-STAUNTON, a life Bencher of this Society, and reported that Mr. J. R. Marshall, K.C., had represented the Law Society at the funeral.

The Treasurer appointed Messrs. Marshall and Sweet a Special Committee to prepare a Memorial to the late Mr. Lynch-Staunton.

REPORT OF JOINT COMMITTEE ON MILITARY SERVICE.

(Finance and Legal Education.)

Mr. Dunbar presented the report of the Joint Committee.

RE OSGOODE HALL CONTINGENT—CANADIAN OFFICERS TRAINING CORPS.

Colonel H. W. A. Foster, the Officer Commanding, asks for the written authority of the Law Society for the use of its arms in connection with cap badges for the Contingent.

The Committee recommends that the Secretary be authorized to give Colonel Foster written authority as asked under the supervision of the Treasurer.

RE A. P. G. JOY—THIRD YEAR.

A Special petition by the above student was considered and certain special relief granted thereon.

THE REPORT WAS ADOPTED.

LEGAL EDUCATION COMMITTEE REPORT.

At the request of the Chairman Mr. Cassels presented the report.

CALL TO THE BAR AND CERTIFICATES OF FITNESS—SPECIAL.

AURELIEN BELANGER has applied to be Called to the Bar of Ontario and granted a Certificate of Fitness to practice as a Solicitor under a Special Act, 3 Geo. VI, ch. 56. He has filed the proper papers and paid the required fees $161.00.

Approved.

CHRISTOPHER ROBINSON having been duly Called to the Bar and admitted as a Solicitor of the Superior Court of the Province of Quebec has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

FRANK AUGUSTUS SCHULMAN having been duly admitted as a Solicitor of the Supreme Court of Judicature in England, has applied to be granted a *Certificate of Fitness* to practise as a Solicitor under Rule 134(d).

Approved.

RE ORAL EXAMINATIONS—FIRST AND THIRD YEARS.

The Chairman presented a report with reference to the above examinations which report is attached hereto.

The Committee recommends that this report be adopted as the Committee's report to Convocation.

RE DINNER—THIRD YEAR STUDENTS.

The Committee considered the holding of a dinner for Third year students of the Law School similar to that held in May, 1939.

The Committee recommends that the dinner be held and that the matter be referred to the Chairman and Mr. Carson with power to act.

A. A. WINTER—THIRD YEAR.

A special petition by the above student was refused.

THE REPORT WAS ADOPTED.

ORAL EXAMINATIONS, 1940.

FIRST AND THIRD YEARS.

These examinations were held during the week of March 4th to March 10th last, extending throughout most of each day with evening sessions as well on March 4th and 6th.

The hours were arranged so as to interfere as little as possible with the Law School lectures and C.O.T.C. lectures and drill, and lists of students were prepared for each morning, afternoon and evening session, so that the examinations should interfere as little as possible with the other occupations of the students. The examinations proceeded smoothly and without delay and great credit is due to the Secretary and his staff for the way in which all these necessary preliminaries had been thought out and carried out.

Messrs. G. W. Adams, K.C., and Donald Guthrie were examiners for the third year, and Messrs. Michener and Porter for the first year, and instead of going to the expense of a stenographer one of the examiners in each year took notes as each student was examined. These notes are available for reference if required.

One Bencher also presided at each session, those thus attending, besides the Chairman of the Committee, being Messrs. Carson, Cassels, Sinclair, Shaver, Sweet and White. The examiners previously consulted with members of the Committee and had thought out the type of enquiries to be made, making due allowance for the different opportunities available to third year and first year students, respectively. The work of the examiners was exceedingly well carried out; the time available for each student (an average of fifteen minutes) seemed short, but in most cases gave a reasonable opportunity of arriving at the benefit which the students had derived from their experience in offices having regard, of course, to the very different circumstances prevailing in the offices in which they were articled. The first year students had not in most cases been more than a few months in offices and their opportunities for gaining experience were necessarily very limited; but the impression made upon the examiners was that they had been interested in their work in the majority of cases and showed a real desire to profit by their service under articles. The method of ranking students was by dividing into classes A., B. and C. with "no rating" for those who did not show that they had derived any substantial benefit from their office experience. This last situation was not always due to lack of interest as it occurred some times because of lack of opportunity.

The examiners were asked to make any suggestions for future similar examinations, as it is realized that the work is still in the experimental stage Their suggestions accompany this report and will call for careful consideration before the next examinations are held.

Though under existing unsettled conditions the opportunities available to students in their offices are not as great as they would be in more normal and more prosperous times, these examinations in the opinion of your Committee have fully justified themselves and deserve to be continued and developed. There is some evidence that as a result of the third year examinations a year ago more interest is taken in this important branch of legal training, both by the profession and the students.

The results of these examinations accompany this report.

Toronto, March 18th, 1940.

"J. SHIRLEY DENISON"
Chairman
Legal Education Committee.

Mr. Shaver spoke on the question of giving lectures in Ethics to the Third year of the Law School and regretted that arrangements had not yet been made for the current year.

The matter was referred to the Treasurer to take up with the Chairman of the Legal Education Committee, Convocation expressing the opinion that at least one lecture should be given to the present Third year by the Chief Justice of Ontario if convenient to him.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Dunbar presented the report.

MONTHLY STATEMENT—FEBRUARY, 1940.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

RE KENNETH ARNOLD MAHAFFY.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor appeared and addressed Convocation.

Moved in amendment by Mr. Carson, seconded by Mr. Mason, and carried that consideration of the report be deferred for six months to September Convocation.

The Solicitor again appeared and was advised by the Treasurer of the action taken by Convocation.

RE ROY HARVEY MUNRO.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Roy Harvey Munro, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Roy Harvey Munro guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Roy Harvey Munro be suspended from practice as a Barrister and Solicitor for the period of Six months from the 21st day of March, 1940.

RE HENRY LIONEL HENNICK.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor appeared with his counsel, Mr. A. A. Macdonald, K.C., who addressed Convocation.

The report of the Discipline Committee in the matter of Henry Lionel Hennick, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Henry Lionel Hennick guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Henry Lionel Hennick be suspended from practice as a Barrister and Solicitor for a period of Three months from the 21st day of March, 1940.

That the said Henry Lionel Hennick be ordered to pay the expenses incurred by the Society in the investigation of this charge amounting to $98.50 and that in default of payment forthwith the Secretary be instructed to take proceedings as authorized by The Law Society Amendment Act, 1939.

ORDER.

The Secretary placed before Convocation the following Order —re John Gardner Leckie—Order Striking off the Rolls.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

SENDING OUT BOOKS.

The Committee recommends that no change be made in the Rules as to allowing books to leave Osgoode Hall, the library being essentially a reference library.

CANADIAN ENCYCLOPAEDIC DIGEST.

The Committee recommends that the Chief Librarian be authorized to exchange six sets of unbound parts of this publication for two sets of the English & Empire Digest, and to inquire as to what price could be obtained for other such sets which are at present stored in the library.

CANADIAN LAW LIST.

The Committee recommends that the Chief Librarian be authorized to loan to the Canadian Law List Publishing Company copies of old Law Lists, of which we have duplicates.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

MR. HUGHES.

RE REPORTING JUDGMENTS OF COUNTY COURT JUDGES.

At a meeting of the Committee memoranda by a County Court Judge and by the Editor were considered at length, as were also some acknowledgments in writing from members of the Committee.

The Committee considers that the subject should be approached slowly and carefully. Decisions of one County Court Judge are not binding upon another County Court Judge.

Judgments on all subjects cannot possibly be reviewed by the Editor or noted or reported.

The Committee recommends that, for the present, judgments of the Ontario Municipal Board and judgments of the Ontario County Court and District Court Judges on important principles of assessment under the Assessment Act should be noted in the Ontario Weekly Notes but not reported in the Ontario Law Reports; and that the Judges of the County Court and District Courts of Ontario should be advised and asked to forward to the Editor such of their judgments on the above subject as they consider important, the Editor to select from these for noting in the Ontario Weekly Notes only such as he considers should be noted.

THE REPORT WAS ADOPTED.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

Mr. Mason.

Re Patent Agents.

The suggested arrangement with the Patent Institute of Canada has been approved by the Law Societies of Alberta, British Columbia, New Brunswick, Prince Edward Island, and Quebec. The matter was referred to the sub-committee previously dealing with it to confer further with the representatives of the Patent Institute and report later.

Re Barristers and Solicitors Struck Off.

The Secretary reported receipt of a letter from the Attorney-General's Department enclosing copy of Order-in-Council revoking Letters Patent as King's Counsel of 5 disbarred persons.

Re "Encroachments."

Mr. G. L. Fraser's paper on Encroachments was discussed by the Committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Annual Grants 1940.

The following County Law Associations having filed their Annual Returns for the year 1939 in accordance with Rule 62, the Committee recommends that Grants be paid to them as follows:

Prescott and Russell	$116.67
Lindsay—$430 less $50 on loan	380.00

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar:

1. Aurelien Belanger (Special Act).
2. Alexander Primrose Graham Joy.
3. Christopher Robinson (Special—Quebec).

SPECIAL COMMITTEE ON LEGISLATION.

Mr. White presented the report of the Special Committee on Legislation.

When the Committee met it ascertained that there was available to it the report made by the Judges of the Supreme Court to the Honourable the Attorney-General. Sections of this report were assigned to the three members of the Committee who were present who agreed to present to Convocation a brief comparison of this report and the report of Mr. Barlow.

It appeared to the Committee that Convocation should deal with the matter further before the Committee take any action with regard to the approaching hearing before the Special Committee appointed by the Legislature.

THE REPORT WAS ADOPTED.

Mr. White outlined to Convocation the plan for the discussion to follow on the Barlow Report and the report thereon by the Judges of the Supreme Court of Ontario.

MEMORIAL TO THE LATE W. D. HOGG, K.C.

Mr. Aylen presented the report of the Special Committee appointed to prepare a Memorial to the late W. D. Hogg, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to the Honourable Mr. Justice Hogg.

Convocation records with deep regret the death on the 2nd day of January, A.D. 1940, of William Drummond Hogg, K.C., who at the time of his death was the Senior Life Bencher of this Society.

William Drummond Hogg was born on the 29th day of February in the year 1848, at the Town of Perth, Ontario. He was a son of David Hogg who came from Scotland and settled in Perth in the year 1835. His wife, who predeceased him in 1932, was Agnes Louise Rattray, daughter of Dr. Charles Rattray of Cornwall.

Mr. Hogg studied Law in Perth and was Called to the Bar in the Hilary Term, 1874. He won several scholarships at the Law School and after graduation was taken into the office of the late John Bain, K.C., of Toronto. In 1874 the late Daniel O'Connor, K.C., of Ottawa, came to Toronto seeking a partner and Mr. John Bain recommended Mr. Hogg. In the year 1874 the partnership of O'Connor & Hogg was established in Ottawa and continued for many years. After the death of Mr. O'Connor the firm became Hogg & Magee, the junior partner being Mr. Frederick A. Magee, now the Local Master of the Supreme Court at Ottawa. In the year 1905 Mr. Frederick D. Hogg, now The Honourable Mr. Justice Hogg, graduated from the Law School and joined his father in the practice of law at Ottawa, the firm name being Hogg & Hogg. That firm continued until the year 1933 when Mr. Hogg retired from active practice.

In 1878 the firm of O'Connor & Hogg was selected as Agents for the Dominion Government and from that time until 1896 when the Conservative Government went out of power Mr. Hogg was engaged almost continuously in Counsel work for the Crown in the Exchequer and Supreme Courts of Canada.

In 1890, Mr. Hogg was made a Queen's Counsel by the Dominion Government. His interests in Ottawa included the County of Carleton Law Association, the Conservative Association and St. Andrew's Society. At one time or another he was President of all of those organizations.

Convocation desires to express its appreciation of the many talents of William Drummond Hogg and to extend to the members of his family its most sincere sympathy.

RE THE RIGHT HONOURABLE LORD MACMILLAN.

The Treasurer announced that it was expected that Lord Macmillan would attend the Annual meeting of the Canadian Bar Association and certain other meetings in the United States. He asked consideration of the entertainment in September 1940 of Lord Macmillan.

Convocation approved of the suggestion and referred the matter to the Treasurer with power to act.

CORRESPONDENCE.

The Treasurer read a letter from The Right Honourable Lady Tweedsmuir expressing her thanks for the message of sympathy from the Benchers.

The Treasurer read a letter from Mrs. Ward Wright expressing her appreciation of the Memorial to the late Ward Wright, K.C.

ORDERED that these letters be received and filed.

The Treasurer read a letter from the Canadian Labour Defence League and stated that its receipt had been acknowledged.

ORDERED that no further action be taken.

CONVOCATION ADJOURNED AT 1.15 P.M.

MEETING RESUMED AT 2.15 P.M. A QUORUM BEING PRESENT.

SPECIAL COMMITTEE ON LEGISLATION.

The Treasurer read a letter from the Chief Justice of Ontario and referred to the copy of the Judges report with reference to the report of Mr. F. H. Barlow, K.C.

Mr. White on behalf of the Special Committee on Legislation then led the discussion with reference to pages 1-12 inclusive of the Judges Report and the various matters were discussed clause by clause by Convocation.

In each matter Convocation directed the action that should be taken by the Special Committee on Legislation when appearing before the Special Committee of the Legislature herein.

Moved by Mr. Shaver, seconded by Mr. Marshall, and unanimously carried—that the Special Committee on Legislation be instructed to take no action on that part of the Resolution which appears in the Minutes of Convocation of February 15th, 1940, and which reads "and to make an effort to have representatives of the Bar appointed to the Committee of Judges to amend the Rules" and that this portion of the Resolution be considered at the April Convocation.

Moved by Mr. Shaver, seconded by Mr. Cassels, and unanimously carried—that the question of representation before the Legislative Committee be referred to the Chairman of the Special Committee to arrange with members of the Committee or other Benchers to attend at appropriate times with power to the Chairman to engage counsel if deemed necessary or advisable.

Convocation then adjourned until Wednesday, the 27th day of March, 1940, at 4.30 p.m. to complete unfinished business.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

ADJOURNED from the 21st day of March, 1940, until today to complete unfinished business.

WEDNESDAY, 27TH MARCH, 1940,
4.30 P.M.

PRESENT—The Treasurer, Sir William Mulock, and Messrs.: Cassels, Davis, Denison, Dunbar, Fuller, Herrington, Kerr, Marshall, McRuer, Nickle, Shaver, White, and Young.

RE SPECIAL COMMITTEE ON LEGISLATION.

The Treasurer again read the letter from the Chief Justice of Ontario.

The Treasurer on behalf of the Special Committee then led the discussion with reference to pages 13-24 inclusive of the Judges Report and the various matters were discussed clause by clause by Convocation.

Mr. Cassels on behalf of the Special Committee then led the discussion with reference to pages 25-36 inclusive.

In each matter (except those in which consideration was deferred) Convocation directed the action that should be taken by the Special Committee on Legislation when appearing before the Special Committee of the Legislature herein.

CONVOCATION ADJOURNED AT 6.50 P.M.

MEETING RESUMED AT 8.15 P.M. A QUORUM BEING PRESENT.

At the request of Convocation Mr. C. R. Magone, K.C., Counsel for the Committee of the Legislature, attended and discussed various matters with Convocation.

Moved by Mr. Shaver, seconded by Mr. Marshall, and carried —that their motion with reference to the Special Committee on Legislation as adopted by Convocation on the 21st March, 1940, be rescinded.

Moved by Mr. White, seconded by Mr. McRuer, and carried—that the Special Committee be instructed that the wish of Convocation is that representatives of the Bar be appointed to the Rules of Practice Committee and that such representatives be appointed by Convocation and their term of office determined by Convocation.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH APRIL, 1940.

PRESENT—The Treasurer, and Messrs. Aylen, Carson, Cassels, Davis, Denison, Dunbar, Fuller, Hays, Hellmuth, King, Mason, Middlebro, McCrea, McRuer, Rodd, Seymour, Sims, Smith, Sweet, Walsh, White, and Young.

The Minutes of the meeting of Convocation of March 21st, 1940, and of the adjourned meeting of March 27th, 1940, were read and confirmed.

JOINT COMMITTEE ON MILITARY SERVICE.

MR. SMITH.

(Finance and Legal Education.)

The Secretary-Treasurer of the Osgoode Hall Legal and Literary Society has written the Chairman with reference to the following resolution passed at a general meeting of the Society on March 20th:

> "That the Executive of the Society be authorized to apply to the Legal Education Committee with a view to an allowance of some percentage upon the coming examinations to those students who are members of any Canadian Officers Training Corps or other training units."

The Committee recommends that the Legal Education Committee be requested to give due consideration on examinations to those students who have been attending drills and lectures of the Osgoode Hall Contingent C.O.T.C. or any other military units and that the Legal Education Committee be given power to act herein.

SPECIAL PETITIONS.

Petitions by the following students on war service were considered:

Third year—

E. N. Heighington
J. A. Falconer
J. B. Keachie
D. B. Symons.

Mr. Smith moved the adoption of the report.

Moved in amendment by Mr. McRuer, seconded by Mr. White, that that part of the report referring to Messrs. *E. N. Heighington* and *J. A. Falconer,* be referred back to the Joint Committee with the request to formulate a policy for the future, the Committee not to regard the action taken by Convocation in regard to Messrs. A. P. G. Joy, J. B. Keachie, and D. B. Symons, as a precedent.

The Chairman accepting the amendment, the Motion as amended was carried unanimously.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

CERTIFICATE OF FITNESS—SPECIAL.

WILLIAM ANDREW TRAVERS SWEATMAN having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Manitoba, has applied to be granted a certificate of Fitness as a Solicitor under Rule 134(3).

Approved.

RE BOOK-KEEPING AND ACCOUNTING—THIRD YEAR.

A ruling of the Committee is asked as to whether a failure in the Book-keeping examination is to come within the meaning of Rule 116. In June 1939 the Committee recommended that for the academic year 1938-39 a failure in Book-keeping be not considered as coming within the meaning of Rule 116.

The Committee recommends that for the current academic year the same ruling be adopted.

LECTURES IN ETHICS—THIRD YEAR.

The Committee reports that following the recommendation of Convocation on March 21st, the Chairman with the assistance of the Dean, made arrangements for a lecture to be delivered on Friday, April 12, 1940, by the Chief Justice of Ontario.

Special Petitions.

Petitions by the following students were considered:

Third year—

G. L. Pallett
E. N. Heighington
J. A. Falconer
J. B. Keachie
D. B. Symons.

On motion of Mr. Denison the report was adopted except the paragraphs referring to Messrs. E. N. Heighington and J. A. Falconer, which matters are referred back to the Joint Committee on Military Service.

FINANCE COMMITTEE REPORT.

Mr. Smith.

Monthly Statement—March 1940.

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar:

1. James Bicknell Keachie
2. Douglas Bond Symons.

DISCIPLINE COMMITTEE.

ORDERS.

The Secretary placed before Convocation the following Orders:

Re Roy Harvey Munro—Order suspending for six months.
Re Henry Lionel Hennick—Order suspending for three months.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

AMERICAN STATUTES.

The Committee recommends that latest revisions of Statutes for the states of Florida, Michigan and Illinois be purchased.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MASON.

RE PATENT AGENTS.

Mr. Seymour was asked to present to Convocation the position of negotiations with the Patent Institute of Canada.

THE REPORT WAS ADOPTED.

Mr. Mason reported that Mr. Seymour wished to obtain further information with reference to the negotiations with the Patent Institute of Canada and would report to the next meeting of Convocation.

COUNTY LIBRARIES COMMITTEE.

In the absence of the Chairman, Mr. Middlebro presented the report.

ANNUAL GRANTS, 1940.

The following County Law Associations having filed their Annual Returns for the year 1939 in accordance with Rule 62, the Committee recommends that Grants be paid to them as follows:

Hastings	$610.44
Waterloo	510.00

CANADIAN ENCYCLOPAEDIC DIGEST.

The Committee recommends that one of the Society's sets of this publication be presented to the Huron Law Association.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LEGISLATION.

(February, 1940.)

Mr. Mason presented the report of the Special Committee on Legislation.

1. The first meeting of the Select Committee appointed at the recent session of the Legislature to inquire into the administration of justice in the Province was held on the 2nd of April, 1940, and its last public sittings on the 12th instant, on which date it adjourned to meet at a subsequent date.

2. The matters considered by the Select Committee have been Division Courts, Consolidation of County and District Courts, Courts of General Sessions, etc., County Court Districts, County Court Jurisdiction, Rules of Practice Committee, Law Revision Committee, Grand Jury, Petit Jury, Pre-trial in civil Cases, and Assessors and Experts, but other matters received some attention in the discussion before the Select Committee.

3. The Treasurer attended several of the sittings and presented the position of Convocation with respect to the matters to be considered by the Select Committee. Other members of your Special Committee were present from time to time and some of them in their private capacity and not as members of your Committee discussed certain subjects before the Select Committee.

4. Mr. H. P. Edge was appointed to attend and report upon the proceedings of the Select Committee and has made written reports daily which may be seen by members of Convocation.

5. The subject of Pre-trial Procedure in Civil Actions will be discussed by the Select Committee when it resumes its sittings and your Committee recommends that the Treasurer appoint two persons to appear before the Select Committee and oppose the introduction of this procedure.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE HONOURABLE GEORGE LYNCH-STAUNTON, K.C.

Mr. Sweet presented the report of the Special Committee appointed to prepare a Memorial of the late Honourable George

Lynch-Staunton, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to Mrs. Lynch-Staunton.

"The Benchers in Convocation assembled record with profound sorrow the death of Senator the Honourable George Lynch-Staunton, K.C., who died suddenly at his home in Hamilton on March 19th, 1940.

Senator Staunton was born at Southampton, Ontario, on December 9th, 1858, a son of Francis Hardwick Lynch-Staunton, C.E., and Victoria Corbett Lynch-Staunton. He received his education at St. Marys College, Montreal, Upper Canada College and Osgoode Hall, and was Called to the Bar and admitted as a Solicitor in Easter Term 1882. He was first elected a Bencher of the Law Society in 1901 and being re-elected at the succeeding three quinquennial elections became a Bencher for life on April 19th, 1916. He was on the Board of Trustees for the Hamilton Law Association for fifty-three years being Vice-President for nine years and becoming President on June 5th, 1939, to succeed the late T. C. Haslett, K.C.

Senator Staunton was devoted to the practice of law and took a great pride and interest in his profession. Through hard work he established an enviable reputation as a Counsel throughout Ontario and was engaged in many important cases such as the School Book Investigation, Queen vs. Gorman et al. (London election case), The Public Waters case against the Dominion, the Kinrade case and many other prominent cases in which he appeared before the Privy Council. He was created a Q.C. in 1899.

In addition to his interest in his profession he exemplified all that was best in our system of party government as a supporter of the Conservative Party and always stood for the highest principles. He was appointed to the Senate in 1917 and contributed greatly to the discussion of many great problems dealt with by that body.

A great reader he took a profound interest in the best literature of ancient and modern times. He also took a keen and most enthusiastic interest in his recreations as he did in his business life and this helped to keep him young in spirit and made him a most interesting conversationalist.

Throughout his long life he endeared himself to a host of friends who not only admired his high attainments in law, politics and general knowledge as well as his integrity and sound judgment, but knew him also as a kind and courteous gentleman and a true friend.

In 1895 he was married to Adelaide Dewar of Hamilton, who still survives him. His only surviving son, Victor Lynch-Staunton, is a member of the law firm of Messrs. Stairs, Dixon, Claxton, Senecal & Lynch-Staunton in Montreal. His eldest son, Geoffrey, was killed in action during the Great War while serving in Mesopotamia.

The Benchers of the Law Society of Upper Canada extend heartfelt sympathy to Mrs. Lynch-Staunton and her son in their hour of bereavement."

RE THE RIGHT HONOURABLE LORD MACMILLAN.

The Treasurer reported that Lord Macmillan's proposed visit to the Canadian Bar Association and certain other meetings in the United States, had been cancelled.

CORRESPONDENCE.

The Treasurer read a letter from the Honourable Mr. Justice Hogg expressing his appreciation of the Memorial to the late W. D. Hogg, K.C.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

Thursday, 16th May, 1940.

Present—Messrs. Aylen, Carson, Cassels, Davis, Denison, Dunbar, Fuller, Hon. W. A. Gordon, Hellmuth, Herrington, Kerr, King, Marshall, Mason, Middlebro, McCarthy, McCrea, McNevin, McRuer, Shaver, Sims, Sinclair, Smith, Sweet, Walsh, and White.

Mr. G. L. Smith, K.C., was appointed Chairman.

ELECTION OF TREASURER.

Mr. D. L. McCarthy, K.C., was elected Treasurer for the ensuing year.

The Minutes of the meeting of Convocation of 18th April, 1940, were read and confirmed.

At the request of the Chairman, Mr. Sims took the chair while the Chairmen of Standing Committees retired to strike new committees.

Mr. Smith then resumed the chair.

APPOINTMENT OF STANDING COMMITTEES.

The following Standing Committees were appointed to hold office until May 1941:

Finance—Messrs. G. L. Smith, Sir Allen Aylesworth, J. M. Bullen, C. F. H. Carson, R. C. H. Cassels, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, J. C. McRuer, W. F. Nickle, Edmund Sweet, Peter White, McGregor Young.

Legal Education—Messrs. J. S. Denison, H. A. Aylen, C. F. H. Carson, R. C. H. Cassels, A. G. Davis, Hon. G. R. Geary, F. D. Kerr, G. W. Mason, W. S. Middlebro, J. C. McRuer, W. F. Nickle, G. N. Shaver, H. J. Sims, G. L. Smith, Peter White, McGregor Young.

Reporting—Messrs. Hon. F. J. Hughes, C. F. H. Carson, R. C. H. Cassels, J. S. Denison, J. R. Marshall, T. G. Meredith, J. C. McRuer, M. A. Seymour, W. E. N. Sinclair, A. G. Slaght, G. L. Smith, Edmund Sweet, G. T. Walsh, McGregor Young.

Discipline—Messrs. C. L. Dunbar, J. M. Bullen, C. F. H. Carson, R. C. H. Cassels, A. G. Davis, J. S. Denison, I. F. Hellmuth, Hon. F. J. Hughes, G. W. Mason, W. S. Middlebro, J. C. McRuer, G. N. Shaver, W. E. N. Sinclair, A. G. Slaght, G. L. Smith, Peter White, McGregor Young.

Library—Messrs. McGregor Young, C. F. H. Carson, J. M. Bullen, J. S. Denison, H. E. Fuller, Hon. G. R. Geary, F. D. Kerr, Francis King, G. W. Mason, W. S. Middlebro, Charles McCrea, J. A. McNevin, G. G. McPherson, G. N. Shaver, H. J. Sims, W. E. N. Sinclair, G. L. Smith, G. T. Walsh.

Unauthorized Practice—Messrs. G. W. Mason, J. C. McRuer, H. A. Aylen, Sir Allen Aylesworth, J. S. Denison, C. L. Dunbar, Hon. W. A. Gordon, R. C. Hays, W. S. Herrington, F. D. Kerr, Francis King, J. R. Marshall, W. S. Middlebro, Charles McCrea, J. A. McNevin, M. A. Seymour, H. J. Sims, A. G. Slaght, G. T. Walsh.

County Libraries—Messrs. J. R. Marshall, H. A. Aylen, H. E. Fuller, Hon. W. A. Gordon, R. C. Hays, W. S. Herrington, F. D. Kerr, Francis King, G. W. Mason, T. G. Meredith, W. S. Middlebro, J. A. McNevin, W. F. Nickle, J. H. Rodd, M. A. Seymour, G. N. Shaver, H. J. Sims, G. L. Smith, Edmund Sweet, Peter White, McGregor Young.

APPOINTMENT OF AUDITOR.

Mr. R. J. Dilworth, F.C.A., of Messrs. Clarkson, Gordon, Dilworth & Nash, Chartered Accountants, was appointed auditor of the Society for the period of one year from the 1st June, 1940, at a salary of $400 per annum, payable quarterly.

RE REVISION OF RULES.

Moved by Mr. Middlebro, seconded by Mr. Walsh, and carried, that this matter be referred to a sub-committee consisting of Messrs. Nickle and King to consider the amendments to the Rules passed since the approval of the Revised rules by Convocation on the 17th June, 1937, and the amendments to the Law Society Act and the Solicitors Act since the revision of the Statutes in 1937, and to make such further revision of the rules as may be required by the amendments to the above statutes, with power to the sub-committee to instruct the Reporting Committee to proceed with the printing forthwith including arrangements for proof reading and proper indexing.

JOINT COMMITTEE ON MILITARY SERVICE.

MR. SMITH.

(Finance and Legal Education.)

RE ALLOWANCES TO STUDENTS FOR WAR SERVICE.

RE E. N. HEIGHINGTON.
RE J. A. FALCONER.

Following the presentation of the report of the Joint Committee to Convocation on the 18th April, 1940, and the motion for its adoption, it was moved in amendment and carried, that that part of the report referring to Messrs. E. N. Heighington and J. A. Falconer be referred back to the Joint Committee with a request to formulate a policy for the future, the Committee not to regard the action taken by Convocation in regard to Messrs. A. P. G. Joy, J. B. Keachie, and D. B. Symons as a precedent.

Your Committee reports to Convocation that as a matter of general policy the Committee is of the opinion that consideration of all cases, including those of Messrs. E. N. Heighington and J. A. Falconer, asking for special relief on the grounds of war service, should be deferred until the return of the student concerned.

MR. SMITH MOVED THE ADOPTION OF THE REPORT.

Moved in amendment by Mr. White, seconded by Mr. Walsh, that that part of the report referring to *Mr. E. N. Heighington* be not adopted, and that he be granted pass standing in all the subjects of the Easter examinations of the Third year, and that he be allowed to be Called to the Bar.

THE AMENDMENT WAS LOST.

Moved in amendment by Mr. White, seconded by Mr. Walsh, that that part of the report referring to *Mr. J. A. Falconer* be not adopted, and that he be granted pass standing in all the subjects of the Third year, and that he be allowed to be Called to the Bar.

THE AMENDMENT WAS LOST.

Moved in amendment by Mr. Davis, seconded by Mr. Sims, that the report be amended by striking out that part which recommends deferring consideration of petitions by students on war service: and that petitions by such students be dealt with in the usual way.

THE AMENDMENT WAS LOST.

Moved in amendment by Mr. Mason, seconded by Mr. McCrea, that the report be amended by striking out that part which recommends deferring consideration of petitions by students on war service and that the following be substituted therefor:

> "Your Committee reports to Convocation that while individual cases must be considered on their merits, the Committee is of opinion that it is desirable in general that consideration should be deferred until the return of the applicant."

THE MOTION WAS CARRIED.

THE REPORT AS AMENDED WAS ADOPTED.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application:

I. GRADUATE	DATE
1. Edward Bingham Kendall	20th April, 1940.

Approved.

RE REFRESHER COURSES.

A letter from Mr. S. E. Weir, K.C., of London, with reference to holding Refresher Courses for members of the profession, was referred by the Committee to the Chairman for consideration, and the Chairman after consultation with the Dean presented a Memorandum.

The Committee recommends that no action be taken under present conditions.

SPECIAL PETITIONS.

Petitions by the following students were considered:

First year—
W. L. Hipperson.
J. G. Carruthers.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. Alexander Reid Tilley.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

The Secretary presented the report on the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

WALLACE NESBITT TRUST.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation on October 21st, 1937, approved regulations governing an Annual Prize Essay Competition as submitted by the committee nomin-

ated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The Committee now reports for the information of Convocation that in the competition held during the session of 1939-1940 six essays were submitted, and that the Committee (1) awarded the first prize of $150 to *George A. Fallis* (Third year) for his essay entitled "The Law relating to Enemy Aliens", (2) decided not to award the second prize of $75, and (3) awarded the third prize of $40 to *Edward Shortt* (Second year) for his essay entitled "Automobile Accident Compensation, a Proposal for Administrative Justice."

All of which is respectfully submitted.

May 2nd, 1940.

"D. L. McCARTHY",
Treasurer.

"J. SHIRLEY DENISON",
Chairman Legal Education Com.

"JOHN D. FALCONBRIDGE",
Dean.

THE REPORT WAS RECEIVED.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENT—April, 1940:

The usual monthly statement was presented.

RE ARREARS OF FEES.

The amendments to the Law Society Act and to the Solicitors Act having come into force, the Committee has taken steps to bring them to the attention of the members of the Society who are in arrears for fees and a report with recommendations will be laid before the next meeting of Convocation.

THE REPORT WAS ADOPTED.

The Treasurer then took the chair.

DISCIPLINE COMMITTEE REPORT.

RE CHARLES MICHAEL MCNAB.

Mr. Dunbar presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not appear nor was he represented by counsel.

The Report of the Discipline Committee in the matter of Charles Michael McNab, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Charles Michael McNab guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

THAT the said Charles Michael McNab be disbarred.

THAT the said Charles Michael McNab is unworthy to practice as a solicitor.

LIBRARY COMMITTEE REPORT.

Mr. Carson, the vice-chairman, presented the report.

1. The Society subscribes to two sets of the Law Reports (English) for the Phillips Stewart Library and six sets for the Main Library. To complete these sets, 359 volumes are required for the Phillips Stewart, and 481 volumes for the Main Library. The Committee recommends that consideration of the purchase of the Phillips Stewart Library requirements be deferred until the June meeting, and of the Main Library, until the September meeting.

2. The Committee recommends that the Florida Revised Statutes be not purchased at this time.

3. The Committee recommends that the County Law Librarians be invited to attend the meetings of the American Association of Law Libraries, and the luncheon to be given on the opening day of their convocation.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE.

MR. MASON.

RE PATENT AGENTS.

Owing to Mr. Seymour's activities in Air Force matters Convocation is asked to defer consideration of his report until its next meeting.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE.

MR. MARSHALL.

ANNUAL GRANTS.

The Committee reports to the Finance Committee pursuant to Rule 63(2) that the Essex and the Dundas, Stormont and Glengarry Associations have filed their Annual returns for the year 1939, and recommends the payment of their Annual Grants as follows:

The Essex Association	$1,500
The Dundas, Stormont & Glengarry Assn.	270

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read a letter from Lt.-Col. H. W. A. Foster, D.S.O., M.C., K.C., Officer Commanding the *Osgoode Hall Contingent* of the Canadian Officers Training Corps, reporting on the schedule to date and the plans for the future.

ORDERED that the letter be received and filed.

The Treasurer read a letter from the *Nipissing Law Association* enclosing certain resolutions passed by the Association.

The letter was referred to the Committee on Unauthorized Practice.

The Treasurer read a further petition for the re-instatement as a Barrister and Solicitor of *Joseph Aloysius O'Brien* who was struck off the Rolls on the 15th November, 1934.

Ordered that the petition be referred to the Discipline Committee for consideration and report.

The Treasurer read a petition for the re-instatement as a Barrister and Solicitor of *Newton Manly Young* who was struck off the Rolls on the 21st January, 1932.

Ordered that the petition be referred to the Discipline Committee for consideration and report.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH JUNE, 1940.

PRESENT—Messrs. Bullen, Carson, Cassels, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Hellmuth, Kerr, King, Marshall, Mason, McCrea, McNevin, McRuer, Rodd, Seymour, Shaver, Sims, Smith, Sweet, Walsh, White and Young.

In the absence of the Treasurer, Mr. G. L. Smith, K.C. was appointed Chairman.

On motion of Mr. Denison, seconded by Mr. Carson, IT WAS ORDERED that the report of the Legal Education Committee as to the Third year examination results, the Presentation of Medals, awarding of Honours and Scholarships, Call to the Bar, and the special petitions of *W. H. Green* and *H. R. Howitt* be adopted, and that Convocation proceed forthwith to the Presentation of Medals and Call to the Bar.

On motion of Mr. Denison, seconded by Mr. Carson, IT WAS ORDERED that Rule 141 be suspended and that candidates who are on service in His Majesty's forces be Called to the Bar in their official uniform.

CALL TO THE BAR.

The Chairman and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Denison, Called to the Bar by the Chairman Mr. G. L. Smith, and addressed by Mr. J. H. Rodd, K.C.—

1. Robert Smith Durdan.
2. Robert Philip Horton.
3. Arthur Charles Thompson.
4. Robert Arnold Kingston (with Honours, Gold Medal and Chancellor Van Koughnet Scholarship).

5. Joseph Arthur Enstone.
6. William Richard Abbott.
7. Robert Alfred Best.
8. Joseph Corti Boland (with Honours).
9. William Desmond Gordon Burke-Robertson.
10. Edgar Charles Colter.
11. Alfred Meadows Ecclestone.
12. Frank Reginald Gee.
13. Charles Peter Glover.
14. Kenneth Watt Kernaghan.
15. Zebulun Geoffrey Compton Lash (with Honours and Clara Brett Martin Memorial Scholarship).
16. Charles Lachlan McKinnon.
17. Graham Martin MacLachlan.
18. Alexander Martin Macnaughton.
19. John Grant McNeil.
20. Charles Philip Opper.
21. John Harty Osler.
22. Peter Scarth Osler.
23. George Alfred Ponsford.
24. Donald Milner Treadgold (with Honours).
25. William Howell Green.
26. Henry Robinson Howitt.

PRESENTATION OF MEDAL.

The Honourable Mr. Justice Riddell presented Mr. Robert Arnold Kingston with the Gold Medal awarded to him at the Easter 1940 examinations.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of May 16th, 1940, were read and confirmed.

Moved by Mr. Hellmuth, seconded by Mr. Mason—

THAT the Benchers of the Law Society of Upper Canada in Convocation assembled, convey to the Government of Canada their desire to assist the Government by every means within their power in the struggle for the maintenance of Liberty. As the buildings of the Society are immediately south of the Armouries on University Avenue, Toronto, it occurs to the Benchers that certain rooms in the buildings of the Society could be made available for military instruction, without charge to the Government, in the same manner as certain rooms are now used by the Osgoode Hall Contingent of the Canadian Officers' Training Corps. The Benchers will welcome any suggestions as to any other use that might be made of their buildings or equipment. The Benchers request the Right Honourable Ernest Lapointe, P.C., K.C., Minister of Justice, to communicate this resolution to the proper authorities.

THE MOTION WAS CARRIED UNANIMOUSLY on a rising vote.

FINANCE COMMITTEE REPORT.

MR. SMITH.

ELECTION OF CHAIRMAN.

Mr. G. L. Smith, K.C. was elected Chairman for the ensuing year.

MONTHLY STATEMENT—May, 1940.

The usual monthly statement was presented.

RE LUNCHEON ROOM.

The Committee recommends the renewal for another year of the present arrangements.

RE ARREARS OF FEES.

Following a meeting of the Committee on 7th May, 1940, the Secretary on instructions wrote to all Barristers and Solicitors in arrears enclosing copies of the recent amendments to the Law Society Act and the Solicitors Act.

All members in arrears were informed that the Committee would report to Convocation in June all those who had not settled their arrears prior to the 1st of June but in view of the changing conditions, it is not the intention of the Committee to report any cases of arrears to Convocation until a later date. A number of solicitors made application for settlement of the Society's claim against them and offered cash amounts in connection with same which included remission in whole or in part of past penalties and the Chairman and the Secretary after carefully considering all such applications for settlement and with the approval of the Treasurer have made a number of settlements in cash and the Committee recommends that their action be approved and that the solicitors be reinstated.

The results so far to date are that 52 solicitors have paid Barristers' and Solicitors' fees in cash and 14 barristers have paid their Bar fees. These settlements reduce the number of solicitors in arrears at the present time to 92, and the number of Barristers to 20. There are a number of cases which will have to be considered by the Committee which involve other questions beside the actual payment of cash, and there are some cases where solicitors have not offered a settlement which we can recommend. These cases will be first considered by the Committee before referring same to Convocation.

The Committee recommends that the action taken by the Chairman and Secretary with the approval of the Treasurer to date be approved and that the question of arrears of payments of all others who offer settlement during Long Vacation or until the Committee meets again be referred to the Chairman and the Secretary in collaboration with the Treasurer, with power to act.

Mr. Smith moved the adoption of the report.

Moved in amendment by Mr. Walsh, seconded by Mr. Kerr, that the paragraph of the report referring to a Solicitor be struck out and that the application and correspondence be referred to Messrs. McRuer and Bullen to investigate the matter including its legal aspects and that the Secretary be empowered to act upon their report.

THE AMENDMENT WAS CARRIED.

THE REPORT AS AMENDED WAS ADOPTED.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ELECTION OF CHAIRMAN.

Mr. J. Shirley Denison, K.C. was elected Chairman for the ensuing year.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	I. GRADUATES	DATE
1.	Robert Allington Bowlby	8th June, 1940.
2.	Herbert Maxwell Bruce	8th June, 1940.
3.	Archibald McGilvery Carter	11th June, 1940.
4.	Robert Wright Davies	8th June, 1940.
5.	Richard Robert Easton	8th June, 1940.
6.	John Alexander Foster	4th June, 1940.
7.	Richard Iredale Frears	10th June, 1940.
8.	Douglas Wilson Gilmour	6th June, 1940.
9.	George Kinnear Grande	1st June, 1940.
10.	John David Hilton	8th June, 1940.
11.	Murray Douglas Morton	8th June, 1940.
12.	Robert Ian Pollock	11th June, 1940.
13.	George William Reed	10th June, 1940.
14.	John Franklin Reesor	8th June, 1940.
15.	Earl Hubert Slater	8th June, 1940.
16.	Alonzo Thomas Smith	10th June, 1940.
17.	John Melville Weekes	3rd June, 1940.
18.	Warren Ernest White	10th June, 1940.

Approved.

EXAMINATION RESULTS—Easter 1940.

Third year.

The record of the returns of the examiners of the Easter examinations for the Third year, is submitted herewith, showing those who have passed with Honours, those who have passed, and whose who have failed.

Honours—Third year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours—

1. R. A. Kingston.
2. K. E. Maki.
3. D. G. E. Thompson.
4. F. S. M. Weatherston.
5. J. C. Boland.
6. D. M. Treadgold.
7. H. G. Blanchard.
8. H. R. Young.
9. Z. G. C. Lash.
10. A. H. Zaldin.
11. H. P. Botnick.
12. G. H. Aiken.

Approved.

Scholarships—Third year.

According to the returns of the examiners, the following are entitled to Scholarships as follows:

Chancellor Van Koughnet Scholarship—$400.00.
R. A. Kingston.

Christopher Robinson Memorial Scholarship—$100.00.
K. E. Maki.

Matthew Wilson Memorial Scholarship—$45.00.
D. G. E. Thompson.

Clara Brett Martin Memorial Scholarship—$25.00.
(for highest mark in Wills and Trusts)
Z. G. C. Lash.

The Gurston Allen Prize—$25.00.
(for highest mark in Conflict of Laws)
D. G. E. Thompson.

Approved.

Medals—Third year.

Under Rule 130, the following candidates, being in due course, and having passed the final examination with Honours, are entitled to Medals as follows:

Gold Medal—R. A. Kingston.
Bronze Medal—K. E. Maki.

Approved.

EXAMINATIONS FOR MATRICULANT STUDENTS.

Classes I and II.

A record of the returns of the examiner (the Dean) of the special examination for Matriculants — Class I on Marriott's English Political Institutions—Class II on Kennedy's Constitution of Canada, is submitted herewith.

Approved.

EXAMINATION RESULTS—Easter 1940.

First and Second years.

The record of the returns of the examiners of the Easter Examinations for the First and Second years, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

Honours—First year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. J. A. Mullin.
2. W. B. Wood.
3. F. L. Miller.
4. A. D. McAlpine.
5. A. B. Macdonald.
6. D. H. W. Henry.
7. I. G. Wahn.

Approved.

Scholarships—First year.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1.	J. A. Mullin	$100.00
2.	W. B. Wood	60.00
3.	F. L. Miller	40.00

Approved.

Honours—Second year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. J. W. Blain.
2. J. D. Pickup.
3. Louis Ziff.
4. S. M. Halpern.
5. J. F. Isard.
6. R. N. Weekes.
7. Miss M. L. Griggs.
8. J. D. Affleck.

Approved.

Scholarships—Second year.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1.	J. W. Blain	$100.00
2.	J. D. Pickup	60.00
3.	Louis Ziff	40.00

Approved.

Special Petitions.

Petitions by the following students were considered—

Third year—I. B. Weinstein, H. Courtney Kingstone, W. Humeniuk, W. H. Green, H. R. Howitt, R. K. McAvoy, F. D. Holliss, W. H. Fox, W. A. Sutherland, A. W. M. Kirkpatrick, Cecil Levy, J. J. Burke, W. E. Wright, A. P. Gilmore.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

MR. DUNBAR.

ELECTION OF CHAIRMAN.

Mr. C. L. Dunbar, K.C. was elected Chairman for the ensuing year.

THE REPORT WAS ADOPTED.

RE NEWTON MANLY YOUNG.

Mr. Dunbar presented the report of the Discipline Committee herein.

At the request of the Chairman of the Discipline Committee Mr. Young attended and addressed Convocation.

On motion of Mr. Dunbar, seconded by Mr. White, the report was adopted and it was ordered that the Petitioner be reinstated as a Barrister and Solicitor.

ORDER.

The Secretary placed before Convocation the following Order—

Re Charles Michael McNab—Order Striking off the Rolls.

REPORTING COMMITTEE REPORT.

In the absence of the Chairman, Mr. Carson presented the report.

ELECTION OF CHAIRMAN.

The Honourable F. J. Hughes, K.C. was elected Chairman for the ensuing year.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

Mr. Carson, the vice-chairman, presented the report.

The Committee recommends the purchase of the English Law Reports required to complete the second set in the Phillips Stewart Library.

Mr. McGregor Young, K.C. was elected Chairman of the Committee, and Mr. C. F. H. Carson, K.C., Vice-chairman.

THE REPORT WAS ADOPTED.

Mr. Walsh spoke of the desirability of new floor covering and re-decoration of the Great Library and referred to certain estimates that had been prepared.

ORDERED that these matters be placed on the agenda of the Library Committee for its next meeting.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MASON.

ELECTION OF CHAIRMAN.

Mr. G. W. Mason, K.C. was elected Chairman and Mr. J. C. McRuer, K.C., Vice-chairman for the ensuing year.

RE INSURANCE ADJUSTERS.

The Committee discussed the correspondence between the Insurance Adjusters Association and Mr. McRuer in regard to the demands made by the public on insurance adjusters to collect damages for uninsured losses. Mr. McRuer was instructed to write to the Insurance Adjusters Association expressing approval of the spirit of co-operation that had been shown and approving of the principle of the resolution set out in Mr. Thomson's letter to Mr. McRuer of May 14th, 1940, reserving, however, the right to object in case any future difficulties should arise out of the interpretation of the same.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Mr. J. R. Marshall, K.C. was elected Chairman.

The Lindsay Law Association having filed its annual return for the year 1939 in accordance with Rule 62, and a partial grant of $380.00 having been paid to it in March, 1940, the Committee recommends payment of the balance of the grant, set at $70.00.

The Committee reports that consideration is being given to the matters of the indebtedness of the Renfrew and Northumberland Association.

The Committee reports that the Chief Librarian has submitted—

(1) his Report on Inspection of County Libraries,

(2) a Schedule thereto which sets out the digests, encyclopaedias, periodicals and reports shelved in the different County Libraries,

(3) the 1940 table of information as to the membership and financial situation of the County Associations, and

(4) a List of the leading texts on the most important subjects; and recommends that copies of the list of texts be sent to all the County Libraries and that further discussion of the Inspection Report and of the 1940 table of County Library information be deferred until the next meeting of the Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE CERTIFICATES OF NOTARIES QUALIFICATION.

Mr. Bullen.

Re Certificates of Notaries Qualification.

The Committee was asked to consider the present procedure by which a certificate certifying that a Notary Public is duly qualified to act as such must be obtained from the Provincial Secretary's Department rather than from a Clerk of the County Court as was previously the practice. By a report to Convocation dated 8th January, 1940, the Committee recommended that Mr. Bullen, the Chairman of this Committee, confer with the

Provincial Secretary forthwith with a view to the restoration of the former practice and to suggest that arrangements be made for the allocation of the fees to the Provincial Secretary's Department.

As a result of the Chairman's negotiations with the Department the Committee is now informed that at the request of the Law Society of Upper Canada arrangements have been effected whereby certificates of Notarial authority may be issued by Clerks of the County Courts for use in jurisdictions where such certificates are acceptable. All Notaries desiring this privilege may obtain the required forms for registration at the office of the County Court clerk. Instructions have been issued to County Court clerks and they will be supplied with all necessary forms.

The Committee recommends that Convocation approve of these arrangements and express to the officials of the Provincial Secretary's Department its appreciation of their assistance to the profession in this behalf. The Committee further recommends that notice to the profession be published forthwith in the Ontario Weekly Notes.

RE TRANSFER AGENTS.

In its report to Convocation in January, 1940, the Special Committee reported that it was of the opinion that the present practice should be amended and that notarial copies should be accepted for the purposes of transfer, and recommended that representations be made to the Attorney-General urging the necessary amendments to the Companies Act, the Evidence Act and other relevant Acts. Convocation adopted the report.

Pursuant to this recommendation Mr. Walsh on behalf of the Special Committee wrote to the Attorney-General's Department and the matter was referred by the Attorney-General to the Assistant Provincial Secretary. After several conferences with the Assistant Provincial Secretary, the Committee is now informed that as far as possible the Provincial Secretary's Department will co-operate with the Benchers of the Law Society in promoting the necessary legislation at the next session of the legislature.

The Special Committee recommends that it be instructed to keep in touch with the Assistant Provincial Secretary and assist in the drafting of the legislation.

THE REPORT WAS ADOPTED.

RE PATENT AGENTS.

Mr. Seymour reported on the progress of negotiations between the Patent Institute of Canada and this Society with reference to certain designations used by Patent Agents.

Mr. Seymour reported that the sub-committee felt that in view of the differences of opinion held by some of the other Law Societies that this Society was not free to act at the present time.

Moved by Mr. Carson, seconded by Mr. White, and carried that the matter be referred to the same sub-committee (Messrs. Mason and Seymour) with instructions that it try to arrive at a tentative agreement with the Patent Institute and forward the tentative agreement to the other Law Societies for further consideration.

CORRESPONDENCE.

The Chairman referred to two letters from Mr. Abraham Cohen, K.C., one dated June 6th, 1940, tendering his resignation as a member of the Society and one dated June 12th, 1940, undertaking not to practise as a Barrister or Solicitor until the matter of his resignation was disposed of.

ORDERED that this correspondence be referred to the Discipline Committee.

The Chairman read a letter from Lt.-Col. H. W. A. Foster, D.S.O., K.C., reporting on the results of the examinations of the Osgoode Contingent, C.O.T.C.

ORDERED that the letter be received and filed.

IT WAS MOVED by Mr. Davis, seconded by Mr. Walsh, that the previous action taken on the special petitions of Messrs. E. N. Heighington and J. A. Falconer be rescinded, and that the relief asked for by these petitioners be granted: that pass standing in all subjects of the Third year be granted to Mr. W. G. Middlebro, and that these three students be allowed to be Called to the Bar if they so desire.

After discussion and an appeal to the chair, the Chairman ruled that the Motion was in order.

On the question being put the Chairman declared the Motion lost.

Moved by Mr. McCrea, seconded by Mr. King, that the above Resolution be referred for further consideration to the meeting of Convocation in September and that this resolution be taken as Notice of Motion as required by the Rules of the Society.

The Chairman declared the motion carried.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

SPECIAL MEETING OF CONVOCATION.

CALLED FOR THE PURPOSE OF DISCUSSING WAYS AND MEANS OF PLACING IN ONTARIO THE CHILDREN OF ENGLISH AND SCOTTISH JUDGES AND BARRISTERS.

THURSDAY, 11TH JULY, 1940.

PRESENT—The Treasurer, and Messrs. Bullen, Carson, Cassels, Denison, Dunbar, Fuller, Gordon, McRuer, Shaver, and Tilley.

ON MOTION the reading of the Minutes of the meeting of June 20th, 1940, was deferred until the next regular meeting of Convocation.

RE BRITISH CHILDREN.

The Treasurer outlined to Convocation the origin of the Society's interest and action in this matter and read a memorandum prepared by the Department of Welfare of Ontario.

MOVED by Mr. Tilley, seconded by Mr. Bullen, and carried that a Committee be appointed consisting of Messrs. W. A. Gordon, J. C. McRuer, R. C. H. Cassels, C. L. Dunbar, and Mr. Kenneth F. Mackenzie, K.C., Vice-president for Ontario of the Canadian Bar Association, to facilitate on behalf of the Bar of the Province of Ontario the placing of children of Barristers, Solicitors and Judges of England and Scotland and to co-operate with such other agencies as may be necessary.

RE LUNCHEON ROOM.

The Treasurer spoke of the operation of the Luncheon Room during the past two years and referred to the report of the Finance Committee to Convocation in June, 1940, and to the recent correspondence in this matter.

Ordered that in view of altered conditions further consideration stand to the next regular meeting of Convocation; that the Luncheon Room be not opened until the matter has been further dealt with and that it be referred to the Treasurer to confer with Mr. G. L. Smith, Chairman of the Finance Committee, on his return from vacation.

Re Osgoode Hall Contingent, C.O.T.C.

The Treasurer read a letter from Lt.-Col. Langford, Chief Instructor, with reference to the future training of the Contingent in view of the provisions of the National Resources Mobilization Act.

Moved by Mr. Shaver, seconded by Mr. Carson, and carried that this matter be referred to the Treasurer and Mr. Denison to consider with the Dean the possible re-arrangement of the curriculum and the hours of lectures in view of compulsory military training; and that the Secretary be instructed to obtain further information as to the application of the Act.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH SEPTEMBER, 1940.

PRESENT—The Treasurer, The Hon. Hugh T. Kelly, and Messrs. Bullen, Carson, Cassels, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Kerr, King, Marshall, Middlebro, McNevin, McRuer, Nickle, Shaver, Sims, Slaght, Smith, Walsh, and Young.

The Hon. Mr. Justice Middleton, a visitor, attended.

ON MOTION of Mr. Denison, IT WAS ORDERED that the reports of the Legal Education Committee dated June 27th and September 18th, authorizing the Call to the Bar of the candidates hereafter named, be adopted and that Convocation proceed forthwith to the Presentation of the Bronze Medal and Call to the Bar; and that Rule 141 be suspended and that candidates who are on service in His Majesty's Forces be Called to the Bar in their official uniform.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dias. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Denison and Called to the Bar by the Treasurer—

1. Charles Drukarsh.
2. Kauko Elias Maki (with Honours, Bronze Medal, and Christopher Robinson Memorial Scholarship).
3. Gordon Harvy Aiken (with Honours).
4. John Arkle Dunlop.
5. Samuel Armstrong Goff.
6. Frederic Hope Hamer.
7. Owen Mitchell Lockhart.
8. Donald Gordon Edward Thompson (with Honours, Matthew Wilson Memorial Scholarship and Gurston Allen Prize).
9. Thomas Robert Wilcox.
10. Geoffrey Francis Bonnycastle.

11. Harry P. Botnick (with Honours).
12. Frederick Ernest Underhill.
13. Eugene Michael McCullough.
14. Beth Lorraine Rowlin Underhill.
15. John Henry Woodhouse.
16. James Edward Cullen Beatty.
17. Archibald Woodburn Langmuir.
18. Harold George Blanchard (with Honours).
19. William Henry Fox.
20. Mary Helena Gallagher.
21. Richard Howard Habbeshaw.
22. Walter Humeniuk.
23. Martin Kelner.
24. William Lyon Somerville.
25. William Arthur Sutherland.
26. Benjamin Conroy Unger.
27. Alfred Robert Clark Walker.
28. Isadore Benjamin Weinstein.
29. Hugh Thomas Cunningham.
30. Sockley Kamin.
31. Harold Richard Young (with Honours).

PRESENTATION OF MEDAL.

The Honourable Mr. Justice Middleton presented Mr. Kauko Elias Maki with the Bronze Medal awarded to him at the Easter 1940 examinations.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of the 20th June, 1940, and of the special Convocation of July 11th, 1940, were read and confirmed.

RE CONFERENCE OF GOVERNING BODIES.

Moved by Mr. Sims, seconded by Mr. Walsh, and carried that Mr. J. R. Marshall, K.C. be appointed the Society's representative on the Conference of the Governing Bodies of the Legal Profession in Canada.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENTS—June, July and August, 1940.

The usual monthly statements were presented.

RE CHARGE FOR ANNUAL STATUTES 1940, DOMINION AND ONTARIO.

The Committee recommends that the charge to the members of the profession for the Annual Statutes be fixed at $5.50 the same as previous years.

RE LAWYERS CLUB MEETINGS.

The Committee recommends that the request of the Lawyers Club of Toronto to hold regular bi-monthly meetings and dinners in Convocation Hall be granted subject to arrangements being made satisfactory to the Chairman of the Committee and the Secretary.

THE REPORT WAS ADOPTED.

REPORT OF JOINT COMMITTEE RE MILITARY SERVICE.

MR. SMITH.

(Finance and Legal Education)

RE OSGOODE HALL CONTINGENT, C.O.T.C.

Re Committee on Military Education.

The Committee recommends the appointment of His Honour Judge Macdonell and the Honourable G. R. Geary, K.C. to this Committee in place of Brigadier George H. Cassels and Lieutenant-Colonel R. B. Gibson, resigned on account of military service.

Re Increase in Strength.

On the recommendation of the Committee on Military education the Committee recommends that authority should be asked to increase the strength of the unit to 446 from 296.

Re Compulsory Training.

The Committee on Military Education considered whether it was the intention of the Law Society to make military training compulsory for students and also considered the question of whether or not the Society should follow the example of the

Universities in forming auxiliary battalions, but no recommendation was made.

The Committee considered a letter dated August 31st, 1940, from Colonel A. A. Magee, Executive Secretary to the Minister, and the regulations of the Department of National War Services announced on August 27, 1940.

The Committee recommends that these matters be referred to The Treasurer, the Chairman Mr. G. L. Smith and Lieut.-Col. Foster with power to act.

This subject is still under consideration by the sub-committee.

RE ACCOMMODATION AT OSGOODE HALL FOR THE DEPARTMENT OF NATIONAL DEFENCE.

After the Committee had adjourned, the sub-committee begs to report that following the resolution of Convocation whereby the Society offered the use of its buildings to the Department of National Defence, the Secretary received a notification that the offer of the Society had been accepted by the Department, the buildings inspected and a report made and the accommodation offered is considered by the General Staff Officer to be a most valuable acquisition for training purposes. The sub-committee has, therefore, authorized the forms required by the Department to be completed without delay, the Secretary having been advised that by the completion of these forms the Society would protect itself against any possible damage which might be done by the military authorities and that the Department will make good any such damage at the end of the war.

RE MILITARY SERVICE.

Re Barristers' and Solicitors' Fees.

In October, 1939, Convocation adopted the recommendation of the Joint Committee as follows:

> "Your Committee recommends that from December 1, 1939, annual fees be not charged to Barristers and Solicitors who are engaged in active service in His Majesty's Forces and that the reports issued by the Society be supplied to them as usual during their periods of service."

In view of recent changes in military organization and in particular with reference to the Non-Permanent Active Militia units, the Committee recommends that the above resolution be extended to include Barristers and Solicitors who satisfy the Committee that they are entitled to the same consideration as those members on active service.

THE REPORT WAS ADOPTED.

REPORTS OF THE LEGAL EDUCATION COMMITTEE.

At the request of the Chairman, Mr. Carson presented the first report.

SPECIAL PETITIONS.

Petitions by the following students were considered—

Third year—Jack A. Lewis; R. A. Outhet; Ian Macdonald, Mrs. T. H. Callahan.

Second year—W. L. Liscombe; S. D. Borins; J. H. Campbell; W. C. Bowman; W. T. Harris; Aloysius Neville; W. R. Meredith; G. A. McNabb; T. H. Callahan.

First year—J. G. Alley; A. H. Laidlaw; D. S. Tickner; W. H. Adams; R. R. Sturgeon; L. J. Gent; G. L. Symmes, L. J. Valin, D. J. Thomas; J. Kenneth Kidd; J. D. Carrick; N. E. Newman.

Second year—H. L. Rowntree.

THE REPORT WAS ADOPTED.

At the request of the Chairman, Mr. Carson presented the second report.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	GRADUATES	DATE
1.	Gerrard Bertrand	15th June, 1940.
2.	Helen McGregor Binkley	14th June, 1940.
3.	John Knutson Brower	14th June, 1940.
4.	James Somerville Brown	14th June, 1940.
5.	William Walter Cameron	15th June, 1940.
6.	Ross Campbell	12th June, 1940.

	GRADUATES	DATE
7.	William Clarke Campbell	13th June, 1940.
8.	John Mallory Carroll	4th July, 1940.
9.	Hyliard Garfield Chappell	15th June, 1940.
10.	Jerome Lynch Cronin	12th June, 1940.
11.	Patrick Stanley Fitzgerald	15th June, 1940.
12.	Joseph Flannery	12th June, 1940.
13.	Alan Fowler	14th June, 1940.
14.	James Welshe Gemmell	8th June, 1940.
15.	Edwin Alan Goodman	14th June, 1940.
16.	Gordon Dumaresq Jeffery	7th June, 1940.
17.	George James Karry	14th June, 1940.
18.	Reginald Laverne Kayler	14th June, 1940.
19.	Harry Fitzgerald Kimber	14th June, 1940.
20.	William W. Warring Laird	14th June, 1940.
21.	James McLean Lambert	3rd June, 1940.
22.	Daniel Aiken Lang	14th June, 1940.
23.	Aubrey Moses	11th June, 1940.
24.	Muriel Irene McBrien	15th June, 1940.
25.	Andrew David McFall	14th June, 1940.
26.	John Waller deCourcy O'Grady	15th June, 1940.
27.	Campbell Revere Osler	19th June, 1940.
28.	James Alexander Renwick	13th June, 1940.
29.	Vernon Milton Singer	14th June, 1940.
30.	Ralph DeLong Sweet	15th June, 1940.
31.	Sidney Russell Watson	17th June, 1940.

Approved.

SUPPLEMENTAL EXAMINATIONS—September, 1940.

First, Second and Third Year.

The record of the returns of the examiners of the supplemental examinations for the First, Second and Third Years are submitted herewith showing those who had passed and those who have failed.

Approved.

MATRICULANT STUDENTS—CLASS II.

The record of the returns of the examiner (the Dean) of the supplemental examination for Matriculant Students, Class II, on Kennedy's Constitution of Canada, is submitted herewith.

Approved.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1939-40 is submitted for consideration.

The Committee refers the Report to Convocation for consideration and recommends the re-appointment of the part-time lecturers for one year from May 31st, 1940.

SPECIAL PETITIONS.

Petitions by the following students were considered—

Third year—John Arkle Dunlop; G. B. Will; Miss Eileen Mitchell; R. K. McAvoy; H. D. Peterson; A. W. Winter.

First year—J. G. Alley; A. B. McIlmoyle; Joseph Greenspan; G. W. W. Stoddard.

DARRELL BRAIDWOOD.

The Benchers of the Law Society of British Columbia request that the above student-at-law be permitted to pursue his studies for one year at the Osgoode Hall Law School.

The Committee recommend that the request be granted on payment of the regular law school fees.

LEO J. KELLY was admitted as a student-at-law of the Graduate Class on the 17th September, 1928, and completed his First year in 1929. Since that time he has been engaged in various occupations as set out in his special petition and he now asks that he be allowed to continue service under articles to F. W. Griffiths, solicitor of Niagara Falls, and to resume his studies at the law school in September, 1941.

The Committee recommends that the petition be granted upon the student filing proper certificates of character.

SPECIAL PETITION—W. J. Thompson—First year.

Mr. Carson moved the adoption of the report.

Moved in amendment by Mr. Geary, seconded by Mr. Walsh, that that part of the report referring to the special petition of G. W. STODDART be referred back to the Legal Education Committee for further consideration and report.

The amendment was lost.

THE REPORT WAS ADOPTED.

Convocation adjourned at 1 p.m.

Meeting resumed at 2.15 p.m.

DEAN'S REPORT.

ORDERED that that part of the Dean's annual report recommending reappointment of the part-time members of the teaching staff for the term of one year from May 31st, 1940, be adopted and that further consideration of the report be deferred to the October meeting of Convocation.

DISCIPLINE COMMITTEE REPORTS.

RE HUBERT POTHIER.

Mr. Dunbar presented the report herein and moved its adoption.

The Solicitor attended with his counsel Mr. A. A. Macdonald, K.C. who addressed Convocation.

The Report of the Discipline Committee in the matter of Hubert Pothier, K.C., Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation herewith, Convocation finds the said Hubert Pothier, K.C. guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said Hubert Pothier, K.C. be suspended from practice as a Barrister and Solicitor for a period of One year from the Nineteenth day of September, 1940.

That the said Hubert Pothier, K.C. be ordered to pay the expenses incurred by the Society in the investigation of this charge amounting to $92.40 and that in default of payment forthwith the Secretary be instructed to take proceedings as authorized by The Law Society Amendment Act, 1939.

RE KENNETH ARNOLD MAHAFFY.

Mr. Dunbar referred to the report of the Discipline Committee which was read at the meeting of Convocation on the 21st March, 1940, and ordered to stand for six months.

The Solicitor did not attend nor was he represented by counsel.

Ordered that consideration of the report be further deferred to the October meeting of Convocation and that the matter be referred to the Treasurer to confer with the Attorney-General.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

The Committee recommends the purchase of the 481 volumes required to complete the Library's six sets of the English Law Reports, at the price of $670.00 and the cost of rebacking where this is necessary, such rebacking to be done at a cost of 95 cents per volume.

The Committee recommends that a report be obtained, for the October meeting of the Committee, on the practicability and cost of improving the appearance of the present flooring in the Great Library, and that no further action be taken in the matter of the Great Library floor and decoration until that meeting.

The Committee recommends the appointment of the following students to act as Night Librarians for the term of 1940 and 1941:

G. A. McNabb—Third year.
R. H. Pearson "
Jas. Worrall "
W. J. Shea—Second year

and that the Great Library be open in the evenings (except Saturdays) from 7.30 to 10.30 and on Saturday afternoons from 2 to 5 p.m. commencing on Monday, September 23rd, 1940.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

At the request of the Chairman, Mr. King presented the report.

The Committee recommends that a loan up to $350.00 be made to the Renfrew Association to meet its present indebtedness to the Canada Law Book Company, providing this Association files its Annual Returns at once and complies with the rules as to applications for loans.

The Committee recommends that the law book companies be notified of the provisions of Rule 58 under which the books of the Associations are held in trust for the Society for certain purposes.

The Committee recommends that consideration of the accounts outstanding against the Northumberland Association be deferred until the October meeting of the Committee.

The Committee recommends that Associations in default hereafter in the matter of filing Annual Returns, be notified that they will not be included in the list of Associations eligible for Government grants.

THE REPORT WAS ADOPTED.

RE BRITISH CHILDREN.

Mr. Gordon presented the report of the Special Committee.

The Society's interest and action in this matter originated in enquiries made by members of the Bench and Bar and in reports of action taken by individual members and by other professional societies in view of the increasing seriousness of the situation in Britain.

On June 22nd, 1940, The Treasurer, thinking that this was a matter that demanded immediate action, communicated with all Chairmen and Vice-chairmen of Standing Committees who could be reached, and with other Benchers; and cabled the Secretary of the General Council of the Bar in England as follows:

> "The Law Society of Upper Canada wishes to inform the members of the profession in the United Kingdom of its anxiety to co-operate with them in the present emergency by offering the services of the Society in placing the children

of English and Scottish Judges and Barristers in suitable homes in Ontario. Please inform me as soon as possible of your wishes."

On July 5th the following cable was received in reply:

"Offer gladly and thankfully accepted. Number impossible to estimate but will cable as soon as estimate possible. Does your Society understand that owing to Government prohibition no contribution for maintenance can be remitted from here?"

After sending the first cable to England the following notice was posted throughout Osgoode Hall and published in the "Osgoode Hall News" Globe and Mail, and in the Ontario Weekly Notes:

"Notice to the Profession.

In the present emergency The Law Society of Upper Canada has offered the General Council of the Bar of the United Kingdom its assistance in placing the children of English and Scottish Judges and Barristers in suitable homes in Ontario. As the matter is urgent and in order to extend the fullest co-operation will all members of the Society inform the Secretary forthwith by letter or telegram of the accommodation they can provide should the offer be accepted."

The Treasurer also wrote to the Vice-President and the Provincial Vice-Presidents of the Canadian Bar Association, requesting that the members of the various Provincial Bars associate themselves with the proposed movement. The Vice-President for Ontario wrote personally to many members of the profession in Ontario urging their assistance.

As a result of these published requests 158 persons, including a few who are not members of the Bar but who are recommended by members, offered accommodation for about 225 British children. Other members who stated that they were unable to take British Children into their homes, offered their assistance financially or otherwise in the undertaking. Almost without exception members of the Bar expressed complete approval of this offer of assistance to members of the British Bar.

On July 11th, 1940, a special meeting of Convocation was called for the purpose of discussing ways and means of placing in Ontario the children of English and Scottish Judges and Barristers. The Treasurer outlined to Convocation the origin of the Society's interest and action in this matter and read a memorandum prepared by the Department of Welfare of Ontario, and it was—

> "Moved by Mr. Tilley, seconded by Mr. Bullen, and carried that a Committee be appointed consisting of Messrs. W. A. Gordon, J. C. McRuer, R. C. H. Cassels, C. L. Dunbar and Mr. Kenneth F. Mackenzie, K.C., Vice-President for Ontario of the Canadian Bar Association, to facilitate on behalf of the Bar of the Province of Ontario the placing of children of Barristers, Solicitors and Judges of England and Scotland and to co-operate with such other agencies as may be necessary."

Since its appointment the Special Committee or members thereof have been in touch with the Immigration Branch, Department of Mines and Resources, Ottawa, and the Department of Welfare of Ontario, and has had further correspondence with the Council of the Bar in England. A list of those offering to take children has been sent to the Council and filed with the Director of Immigration at Ottawa. In a letter dated August 7th, 1940, the Secretary of the Council states, in part—"The position of the protection of ships has resulted in most of the applicants here entirely holding their hands for the time being and they have put their applications into abeyance." However, arrangements have been made to send a small group of eight and they have been allotted by the Council of the Bar to specified persons on the list sent by your Special Committee. It is expected that they will reach Canada about the end of this month.

The present position is that the Special Committee is ready to carry out the wishes of the Bar Council when its members decide to send their children to Canada.

THE REPORT WAS ADOPTED.

Moved by Mr. Walsh, seconded by Mr. Slaght, and carried that a statement with reference to this matter be prepared by the Chairman to be printed in the Ontario Weekly Notes and the Toronto press.

NOTICE OF MOTION.

The Treasurer referred to the Notice of Motion by Mr. Davis and Mr. Walsh, with reference to the special petitions of E. N. Heighington and J. A. Falconer.

The Treasurer read to Convocation a Memorandum with reference to these petitions.

Moved by Mr. Denison, seconded by Mr. Kerr, and carried that consideration of the motion be deferred to the October meeting of Convocation and that it be placed first on the order of business.

RE LUNCHEON ROOM.

The Treasurer outlined to Convocation the situation with reference to the Luncheon Room and referred to the action of Convocation in June, 1940, and the recent correspondence.

Moved by Mr. Slaght, seconded by Mr. Walsh, and carried that the Luncheon Room be continued on the basis outlined in the report of the Finance Committee to Convocation in June, 1940, and that the Treasurer and the Chairman of the Finance Committee be empowered to make suitable arrangements with Miss Millichamp.

CORRESPONDENCE.

The Treasurer read the following correspondence—

A letter from Mr. W. S. Middlebro, K.C. expressing his thanks for the expression of sympathy sent by the Benchers.

ORDERED that the letter be received and filed.

A letter from Mr. W. R. West thanking the Society for the use of lecture rooms for the Royal Canadian Artillery Officers refresher course.

ORDERED that the letter be received and filed.

A letter from Mr. Walter T. Patterson of the Manitoba Bar with reference to public relations.

ORDERED that the letter be referred to the Committee on Unauthorized Practice.

A letter from the Nipissing Law Association with reference to British Children.

Ordered that the Secretary send the Association a copy of the Special Committee's report and express to the Association the thanks of Convocation for its interest in this matter.

A letter from the Executive Secretary of the American Association of Law Libraries with reference to the convention at Toronto June 26th-29th, 1940.

Ordered that the letter be received and filed.

A letter from H. L. Cartwright, Barrister of Kingston, Ontario, with reference to the practice of Barristers and Solicitors serving with His Majesty's Forces.

Ordered that the letter be referred to the Joint Committee re Military Service.

A letter from the Law Society of Saskatchewan with reference to reciprocal concessions as to fees on Call to the Bar and admission as a solicitor in special cases.

Ordered that the matter be referred to Mr. Denison for consideration and report.

A letter from William Zimmerman, K.C. enclosing a petition for re-instatement of Robert Wherry.

Ordered that the matter be referred to the Discipline Committee for consideration and report.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH OCTOBER, 1940.

PRESENT—The Treasurer, Sir William Mulock, and Messrs. Aylen, Bullen, Carson, Cassels, Denison, Dunbar Fuller, Hon. G. R. Geary, Hays, Herrington, Kerr, Marshall, Mason, Middlebro, McNevin, McRuer, Nickle, Seymour, Shaver, Sims, Sinclair, Slaght, Smith, Sweet, Walsh, White, and Young.

The Minutes of the meeting of Convocation of the 19th September, 1940, were read and confirmed.

NOTICE OF MOTION.

Re E. N. Heighington and J. A. Falconer.

The Treasurer reported to Convocation that Mr. Walsh requested this matter to stand until he is present following his appearance in court.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

I. GRADUATES	DATE
1. John Stanley Boeckh	12th Sept., 1940.
2. Jacques Bonneau	19th Sept., 1940.
3. Harcourt Eldon Greening Bull	8th June, 1940.
4. John James Callahan	10th Sept., 1940.
5. Charles Joseph Clark	3rd Sept., 1940.
6. Bernard Robertson Collins	16th Sept., 1940.
7. William John Dyke	16th Sept., 1940.
8. Frederick Everett Lincoln Fowke	14th Sept., 1940.
9. Eugene Charlton Gerhart	16th Sept., 1940.
10. Allan Goodman	16th Sept., 1940.
11. Louis Guolla	11th Sept., 1940.
12. Gerald Stanislaus Horgan	16th Sept., 1940.
13. William Glen How	17th Sept., 1940.

I. GRADUATES	DATE
14. John Hall Lennox	10th Sept., 1940.
15. Arthur Edward Martin Maloney	14th Sept., 1940.
16. Robert Alexander Milliken	20th Sept., 1940.
17. Robert Bertram Munro	3rd Sept., 1940.
18. Barbara Anne McGibbon	11th Sept., 1940.
19. Sarah Margaret MacLean	3rd Sept., 1940.
20. John Anthony MacVicar	5th Sept., 1940.
21. Wallace Bickford Nesbitt	24th Aug., 1940.
22. Jack Peppler	14th Sept., 1940.
23. Edward Alexander Reid	1st Aug., 1940.
24. Thomas Edgar Reilly	23rd July, 1940.
25. Harry Douglas Roberts	14th June, 1940.
26. Albert Foster Rodger	29th May, 1940.
27. Harold Joseph Rubenstein	10th Sept., 1940.
28. Fred Basil Salhany	4th Sept., 1940.
29. Norman MacDougall Simpson	25th Sept., 1940.
30. Ilvio Anthony Vannini	19th Sept., 1940.
II. MATRICULANTS	
31. John Michael King	5th Sept., 1940.
32. Harold Weil	4th Sept., 1940.

Approved.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session of 1939-40 stands for consideration.

The Committee refer this matter to Convocation for consideration.

RE MOOT COURTS.

A letter from Mr. Carson enclosing a clipping from the New York Herald Tribune with reference to Moot Courts at Yale University Law School has been before the Committee on several occasions and was referred to the Chairman to take up with the Dean. A memorandum from the Dean is submitted.

The Committee recommends that no action be taken in this matter at the present time and that further consideration stand to a more convenient time.

SPECIAL PETITIONS.

Petitions by the following students were considered—

Third year—H. D. Peterson; G. B. Will; R. A. Outhet.

First year—D. J. Thomas; W. J. Thompson; C. A. Kelly.

A. S. MARRIOTT (admission).

Chief Clerk and Accountant in the Master's office asked that he be admitted as a student of the Matriculant class.

The Committee recommends that the petitioner be admitted as a student-at-law on filing the usual Petition and certificates of character.

On motion of Mr. Denison, seconded by Mr. McRuer, *the report was adopted.*

DEAN'S REPORT.

Mr. Denison presented the report of the Dean of the Law School as follows:

ANNUAL REPORT OF THE DEAN OF THE LAW SCHOOL

18th September, 1940.

1. I beg leave to submit my seventeenth annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1939-1940.

REGISTRATION OF STUDENTS.

2. The number of students registered and in attendance at the law school during the last three years was as follows:

	1937-1938	1938-1939	1939-1940
First year	101	118	112
Second year	110	108	109
Third year	98	111	104
Total	309	337	325

HOURS OF CLASS INSTRUCTION.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1939-1940 was as follows:

	First year	Second year	Third year	Total
The Dean	44	80	42	166
Dr. MacRae	36	40	82	158
Dr. Wright	88	......	78	166
Mr. Clute	42	44	......	86
Mr. Foster	30	30	24	84
Mr. Spence	......	......	32	32
Mr. Morden	......	40	......	40
Mr. McFadden	18	......	......	18
Mr. Macdonald	42	......	......	42
Mr. Edge	......	30	......	30
Mr. Tory	......	36	......	36
Mr. Thomson	......	......	42	42
	300	300	300	900

BOOKKEEPING AND ACCOUNTING.

4. Beginning with the session of 1938-1939 the course of lectures given to the Third year on Bookkeeping and Accounting was extended in scope and a written examination was held, and in that session the lecturing and examining was done by Mr. Glassco of the firm of Clarkson, Gordon, Dilworth and Nash. Mr. Glassco, having then intimated that he would be unable to continue this work, recommended in his place Mr. J. R. Wilson of the same firm, and Mr. Wilson took charge of the course in 1939-1940. I recommend that Mr. Wilson be requested again to give the lectures and conduct the examination for the session of 1940-1941, and that the dates of the lectures and examination be determined by him subject to my approval.

TEACHING STAFF.

5. I recommend that all the part-time members of the teaching staff be reappointed for the term of one year from May 31st, 1940.

EXAMINATIONS FOR MATRICULANT STUDENTS.

6. In accordance with Rule 86D examinations were held in April, 1940, for students of the matriculant class who were not in attendance at the law school during the session of 1939-1940, and I recommend that similar examinations be held in April, 1941, as follows:

(1) An examination on Marriott's English Political Institutions (4th ed. 1938) and certain prescribed documents for students who will be in the second year of their service under articles, and

(2) An examination on Kennedy's Constitution of Canada (2nd ed. 1938) for students who will be in the third year of their service under articles.

All of which is respectfully submitted.

"JOHN D. FALCONBRIDGE",
Dean.

It was ordered that the report be received and that the recommendations of the Dean therein be approved.

FINANCE COMMITTEE REPORT.

Mr. Smith.

Annual Financial Statement—1939-40.

The annual statement for the year ending 31st August, 1940, as certified by the auditor, Messrs. Clarkson, Gordon, Dilworth and Nash, is submitted herewith for approval for publication pursuant to the Rules.

Re Phillips Stewart Library.

As requested by the Auditor, the Committee recommends approval of a balance of $872.76 overexpended on the Phillips Stewart Library fund and charged against the revenue of the Society.

Estimates—1940-41.

An estimate of the probable receipts and expenditures for the year 1940-41 is submitted herewith.

Monthly Statement—September, 1940

The usual monthly statement was presented.

Re Arrears of Fees.

A list dated 12th October, 1940, showing 70 Barristers and solicitors and 15 Barristers only, in arrears was before the Committee. Since the last report to the Committee 50 solicitors have paid their arrears in full to November 30th, 1940.

In accordance with the recommendation of the Finance Committee, duly approved by Convocation in June, 1940, settlements of fees and arrears have been made with 27 solicitors.

The Committee recommends that the above settlement be approved and that the question of further action to be taken with regard to those Barristers and Solicitors in arrears be referred to the Treasurer, the Chairman of this Committee, and the Secretary, for consideration and report.

RE C.O.T.C.

Following the recommendation of the Auditor, the Committee decided to place the funds of the C.O.T.C. in a special Trust Bank account in the name of the Society as Trustee.

THE REPORT WAS ADOPTED.

It was ordered that the Annual Financial Statement for the year ending 31st August, 1940 (with the exception of the list of securities) be printed in the O.W.N.

MOTION.

RE E. N. HEIGHINGTON AND J. A. FALCONER.

The Treasurer referred to the Notice of Motion given by Mr. Davis and Mr. Walsh.

The Treasurer reported that Mr. Davis could not be present at this meeting of Convocation but was of the opinion that final disposition of this matter should be made.

Due Notice of Motion having been given at the September meeting of Convocation, it was moved by Mr. Walsh, seconded by Mr. Slaght, that the previous action taken on the special petitions of E. N. Heighington and J. A. Falconer he rescinded and that the relief asked for by these petitioners be granted: that pass standing in all subjects of the Third year be granted to Mr. W. G. Middlebro, and that these three students be allowed to be Called to the Bar if they so desire.

THE MOTION WAS DEFEATED.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar—

1. Frederick Denzil Holliss.
2. Francis Stephen Weatherston (with Honours).
3. Robert Anderson Downing.
4. James Carman Dunlop.
5. George Conklin Vair.
6. James Joseph Burke.

DISCIPLINE COMMITTEE REPORTS.

RE ISAAC GREENIZEN.

Mr. Dunbar presented the report.

The Treasurer outlined to Convocation the history of the matters referred to in the report of the Discipline Committee.

Convocation adjourned at 1 p.m.

Meeting resumed at 2 p.m., a quorum being present.

RE ISAAC GREENIZEN (continued).

Mr. Dunbar read the Solicitor's "Statement of Defence."

The Solicitor appeared with his counsel, Mr. E. M. Lee, and both addressed Convocation.

Mr. Dunbar moved the adoption of the report.

Mr. Fuller retired and did not vote on this motion.

The report of the Discipline Committee in the matter of Isaac Greenizen, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Isaac Greenizen guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Isaac Greenizen be disbarred.

That the said Isaac Greenizen is unworthy to practice as a solicitor.

RE KENNETH ARNOLD MAHAFFY.

The Treasurer referred to the report of the Discipline Committee which was read to the meeting of Convocation on the 21st March, 1940, and which still stands for consideration, and to the fact that this matter had been referred to him to confer with the Attorney General.

The Treasurer reported on an interview with the Attorney General and asked that the matter further stand to the November meeting of Convocation.

ORDER.

The Secretary placed before Convocation the following Order—re Hubert Pothier—Order suspending for one year.

COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MASON.

RE PATENT AGENTS.

The Committee recommend that the Patent Institute of Canada be informed that Convocation is ready to consider the change suggested by the Institute as to Rule 14 of the Patent Office Practice, if the Institute is willing to agree that the members of the Institute cease to use the designations Patent Counsel, Patent Solicitor and Patent Attorney.

RE USE OF WORDS "AND COMPANY."

The Committee recommends that the communication from the Law Society of Alberta with reference to the use of the words "and Company" in firm names of lawyers be referred to the Discipline Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LEGISLATION.

MR. MASON.

The Special Committee appointed in February, 1940 begs leave to report as follows:

1. Your Committee made a report to Convocation in April, 1940, at which time the Select Committee appointed by the

Legislature to enquire into the administration of justice in the Province had adjourned its sittings to a date to be fixed.

2. The Select Committee resumed its sittings on September 23rd, and held its last public sittings on October 1st. It has heard representations with respect to Petit Juries, Pretrial Procedure, Grand Juries, Appeals from the Surrogate Court, Assessment Appeals, Rules and Regulations under Statutes, Increasing the Jurisdiction of the County Court, Rules of Practice Committee and other matters.

3. The Chief Justice of Ontario, the Chief Justice of the High Court and Mr. Justice Middleton gave evidence before the Select Committee on September 30th. Two of the Benchers were present upon the same day to make representations as to the matters in respect of which Convocation had given directions but there was not time to take their evidence upon that day.

4. The Select Committee has closed its public sittings but is willing to receive representations in writing from Convocation as to any matters upon which Convocation desires to express an opinion. It is the view of your Committee that further representation is unnecessary as the evidence of the Judges appears to cover sufficiently fully the matters as to which directions have been given by Convocation with the exception of the matter relating to the Rules of Practice Committee. The Judges expressed the opinion that it was preferable to leave the composition of this Committee as it is at present.

5. Mr. H. P. Edge has made written reports of the proceedings of the Select Committee and has also prepared a condensed summary of its proceedings, which is attached to this report.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

The Committee recommends that the matter of re-surfacing the Great Library floor be further considered at the November meeting of the Committee.

The Committee recommends that Mr. Carson and Mr. Shaver be a sub-committee to consider whether the present arrangement as to repairing the library books, should be continued, or whether a change should be made.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

In the absence of the Chairman, Mr. Denison presented the report.

The Editor reported that Mr. F. J. Cornish, one of his assistants engaged from time to time by the Editor in reporting arguments of counsel, had left on active service in His Majesty's Forces.

The Committee recommends that the name of Mr. F. J. Cornish be left on the list of assistants during his absence on active service and that Mr. Donald Lamont be engaged temporarily and his name added to the list.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

The Committee recommends that a loan of $510.00 be made by the Society to the Leeds and Grenville Law Association, without interest, to be repaid by deducting $110.00 from the grant to be made by the Society to the Association in 1941 and $100.00 from the grant to the Association each year thereafter until the loan is repaid, provided that security is given for the due expenditure and the repayment of the money advanced, pursuant to Rule 64.

The Committee wishes it to be understood by all local Law Associations that it will not, except under special circumstances, consider favourably any financial assistance to any local Association with respect to any indebtedness incurred by such Association, unless such association obtains the approval of the Committee before incurring such indebtedness.

THE REPORT WAS ADOPTED.

RE REVISION OF RULES.

Moved by Mr. Nickle, seconded by Mr. Shaver.

1. That Rule 23 be suspended.

2. That Rule No. 9 be re-numbered 25, and that Rules 10 to 25 inclusive be re-numbered accordingly.

3. That Rule 147 be amended by inserting in the 11th line thereof before the word "he" the following words—"subject to the provisions of the Law Society Amendment Act 1940, where applicable."

4. That the Rules Respecting Accounts be printed immediately following the general Rules of the Society.

5. That the Law Society Act, the Barristers Act, and the Solicitors Act be printed to include the amendments passed since the revision of 1937, the said amendments to be designated by the use of square brackets for the amended sections.

6. That the Reporting Committee be instructed to proceed with the printing forthwith, including arrangements for proof reading and indexing.

THE MOTION WAS CARRIED.

CORRESPONDENCE.

At the September meeting of Convocation the Treasurer read a letter from the Law Society of Saskatchewan with reference to reciprocal concessions as to fees on Call to the Bar and admission as a solicitor in special cases. The matter was referred to Mr. Denison for consideration and report.

Mr. Denison presented to Convocation his report.

To the Treasurer and Benchers:

SASKATCHEWAN PROPOSAL FOR REDUCTION OF SPECIAL FEES.

According to a paper read by Mr. Vincent McDonald of Dalhousie, and now published in the proceedings of the Canadian Bar Association for 1939 (page 176) the fee charged to Ontario lawyers by Saskatchewan for admission to its Bar is $1,000. For lawyers from Alberta and Quebec the fee is $500 and for those from Prince Edward Island is $200. The fee charged by Ontario for the transfer from any other Provincial Bar is now

$1,500, which represents gradual increases to its present figure. The increases took place since 1929 and were due to the fact that since the financial depression not only did the Bar of Ontario become overcrowded, but bad as conditions were here, they became much worse in some of the other provinces, particularly on the prairies, and the applications for transfer to Ontario became numerous. This was not fair, either to the Bar of Ontario, nor to those of other provinces who, if without sufficient capital, were bound to meet with disappointment in attempting to enter an Ontario field already greatly overcrowded. As a matter of real necessity the fees were accordingly raised, and though for a time it did not deter some from other provinces from entering and attempting to earn a living in Ontario, these applications have now become rare, and there has not been for some time any evident general desire to change from some other province to Ontario.

In Ontario it can not be said that conditions for those practising here have improved, and indeed at the moment there is a distinct falling off in the volume of litigation and of business arising out of Real Estate and Company transactions.

Whether the activity in some kinds of business due to the war will be reflected in increased legal work remains to be seen, but if and when the war comes to an end work of that type will cease, and no one can say what effect peace will have on business then existing.

It would seem therefore, that this would be a particularly inappropriate time to make any change; and, while every courtesy is due to members of the Bar in other Provinces, it would not be fair either to them or to the Bar of Ontario to encourage any increase in the transfers from Saskatchewan or elsewhere when the future is so obscure, not only in Ontario but throughout all the provinces of Canada.

It ought also to be mentioned that while many young lawyers have entered upon military life at present, not only is the present enrollment of students not far below that in previous years, but it may be hoped and expected that nearly all those Ontario lawyers and students now in the armies will return to practice, and the first duty of this Law Society would seem to be to preserve for them a reasonable hope of remunerative practice when they re-enter civil life.

Respectfully submitted.

"J. SHIRLEY DENISON."

Moved by Mr. Denison, seconded by Mr. Carson, that no change be made in the present rules as to the fees on Call to the Bar and admission as solicitor in special cases.

THE MOTION WAS CARRIED.

The Treasurer read a letter from Lt.-Col. H. W. A. Foster reporting on the progress of the Osgoode Hall Contingent of the C.O.T.C.

ORDERED that the letter be received and filed.

The Treasurer reported to Convocation on the use being made of Osgoode Hall accommodation by the Osgoode Hall Contingent C.O.T.C. and by Non Permanent Active Militia Units of M.D. No. 2, in pursuance of the resolution passed by Convocation in June.

The Treasurer read a letter from F. F. Arnoldi, Chairman, Ex-Artillery, Officers' Refresher Course thanking the Society for the use of a lecture room during the summer months.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST NOVEMBER, 1940.

PRESENT—Messrs. Carson, Cassels, Davis, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hellmuth, Herrington, King, Marshall, Mason, Middlebro, McCrea, Nickle, Shaver, Sims, Sinclair, Smith, Sweet, Walsh, White and Young.

In the absence of the Treasurer, Mr. G. L. Smith, K.C. was appointed Chairman.

The Minutes of the meeting of Convocation of 17th October, 1940, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

In the absence of the Chairman, Mr. Geary presented the report.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

I. GRADUATES	DATE
1. James Ronald Denny	17th September, 1940.
2. Anne Fromer Himel	7th October, 1940.
II. MATRICULANTS.	
3. George Charlton Butterill	15th October, 1940.
4. Alfred Stanley Marriott	23rd October, 1940.

Approved.

RE ORAL EXAMINATIONS.

This matter stands for report by the sub-committee consisting of the Chairman and Messrs. Cassels and Carson.

The Committee recommends that the report of the sub-committee be approved and referred to Convocation.

Matthew Graham Kneale, a candidate for Call to the Bar, asks that his name on the Rolls and records of the Society be changed from "Graham Kneale" as at present to the above which he states is his correct name.

The Committee recommends that the petition be granted.

Special Petitions.

Petitions by the following students were considered—

Third year—H. D. Peterson.
Second year—W. H. Lind.
First year—H. W. Gauthier.

THE REPORT WAS ADOPTED.

RE ORAL EXAMINATIONS.

Mr. Geary presented the report of the Sub-committee as follows:

To the Legal Education Committee—

Oral Examinations on Office Practice.

Your Sub-committee, consisting of Messrs. Carson, Cassels and the Chairman, met on Saturday, November 16th to consider those aspects of this subject which require immediate attention.

These questions were:

1. Whether under existing conditions the examinations should be held as usual, and

2. Whether under existing conditions the penalties mentioned in Rule 132A, should be enforced.

The Dean had been consulted on this matter, and his letter was before the Sub-committee, and accompanies this report.

Your Sub-committee recommends that

1. Notwithstanding the disorganization caused by the work of the C.O.T.C. in which forty out of eighty-six students of the first year, and sixty-two out of one hundred and seven students in the third year, are engaged, and notwithstanding the fact that many more Law School lectures are held in the morning, which leaves all students less time for work in the office, and notwithstanding also the fact that there appears to be less work in Solicitors' offices, and therefore less opportunity for students

to gain experience, it is still desirable to hold the examinations as usual.

2. Owing, however, to the foregoing reasons, your Sub-committee recommends that the time is inopportune for imposing the penalties prescribed by the Rule.

Your Sub-committee also suggests that an appeal to the profession to assist their students as much as possible in gaining office practice should be inserted in the Ontario Weekly Notes. A draft of the suggested notice accompanies this report.

Your Sub-committee also suggests that the Dean be asked to have it announced in the classes that these oral examinations will be held in the Spring.

Your Sub-committee does not, at the moment, suggest dates for the examinations, or the names of examiners who should be appointed, as these matters can be more conveniently arranged later.

The question of lengthening the time for questioning each student was discussed, and while there was a feeling that the average time might be extended from 15 to 20 minutes, no recommendation is made on this subject at present.

16th November, 1940.

"J. SHIRLEY DENISON"

On motion of Mr. Geary THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORTS.

Mr. Smith.

Monthly Statement—October, 1940.

The usual monthly statement was presented.

Re Arrears of Fees.

At the October meeting of the Finance Committee the matter of arrears of fees was referred to a Sub-committee consisting of the Chairman, the Treasurer and the Secretary. On October 25th the Secretary, on instructions of the Sub-committee, wrote by registered letter to 29 solicitors who are in arrears for two years or more. The solicitors were advised that unless satisfactory settlement was made by November 16th the Finance Committee would recommend to Convocation that they be suspended from practice. Four solicitors have paid their arrears in full (less penalties remitted). Nine solicitors have made offers of settlement or have made representations that merit some consideration. Your Committee recommends that these cases stand for further report.

In 10 cases your Committee recommends suspension but will not report the names of the solicitors until the January meeting of Convocation and the solicitors will be so notified.

Your Committee recommends to Convocation that pursuant to The Society Amendment Act 1940, Section 1, the following members of the Society be suspended from practice as Barristers and Solicitors for the period of one year—

1. J. G. Hood, Stayner.
2. G. D. McEwen, Windsor.
3. C. C. Richardson, Toronto.
4. H. A. Rubin, recently of Kirkland Lake now residing in U.S.A.
5. Anase Seguin, Malartic, Que.
5. W. G. Webb, Hamilton.

Your Committee further recommends that the names of those solicitors so suspended from practice be published forthwith in the Ontario Weekly Notes and that due notice of the suspension in each case be given to the Registrar of the Supreme Court of Ontario, to all local Registrars and to the Judges of the County or District Court and the Magistrates of the County or District in which each solicitor practises.

THE REPORT WAS ADOPTED.

RE ARREARS OF FEES.

Moved by Mr. Smith, seconded by Mr. Marshall, that pursuant to the Law Society Amendment Act 1940 the following Barristers be and they are hereby suspended from practice for a period of one year from this date—

1. J. G. Hood, Stayner.
2. G. D. McEwen, Windsor.
3. C. C. Richardson, Toronto.
4. H. A. Rubin, formerly of Kirkland Lake.
5. Anase Seguin, formerly of Timmins.
6. W. G. Webb, Hamilton.

On motion of Mr. Smith, seconded by Mr. Marshall, IT WAS RESOLVED that the following solicitors be and they are hereby suspended from practice for a period of one year from this date—

1. J. G. Hood, Stayner.
2. G. D. McEwen, Windsor.
3. C. C. Richardson, Toronto.
4. H. A. Rubin, formerly of Kirkland Lake.
5. Anase Seguin, formerly of Timmins.
6. W. G. Webb, Hamilton.

Carried.

DISCIPLINE COMMITTEE REPORTS.

RE USE OF THE WORDS "AND COMPANY".

Mr. Dunbar presented the report of the Discipline Committee herein, as follows:—

To the Benchers of the Law Society of Upper Canada
in Convocation assembled.

The Discipline Committee begs leave to report as follows:

The Committee on Unauthorized Practice referred to your Committee a letter dated September 11, 1940, from the Secretary of the Law Society of Alberta together with a copy of a summary of the Minutes of a meeting of the Benchers of the Law Society of Alberta of Friday, the 5th day of July, 1940. In the summary appears the following—

"NOTICE:

> The attention of all members of the Society is directed to the fact that the Benchers of this Society, assembled in Convocation on July 3rd, 1939, passed the following resolution:
>
> > 'That in the opinion of Convocation it is improper for a Barrister and Solicitor practising alone to use the words "and Company" as part of a firm name.'
>
> Notice of the action of the Benchers has heretofore been brought to the attention of the members. In future upon

> receipt of any complaint against any member practising alone for using the words "and Company" as part of a firm name disciplinary action will be taken."

Your Committee is of the opinion that the use of the words "and Company" by a member of this Society either practising alone or in association with others has a commercial connotation that is not in accordance with the dignity of the profession.

Your Committee is therefore of the opinion that it is improper for a member of the profession practising either alone or with others, to use the words "and Company" as part of a firm name, and so reports to Convocation.

Your Committee recommends that if this report is adopted notice be given to the profession in the Ontario Weekly Notes.

All of which is respectfully submitted.

Dated the 4th day of November, 1940.

"C. L. DUNBAR",
Chairman.

Mr. Dunbar moved the adoption of the report.

Moved in amendment by Mr. Walsh that the report be referred back to the Discipline Committee for further consideration.

There being no seconder to the amendment, the original Motion was put and the Motion carried.

RE JOSEPH ALOYSIUS O'BRIEN.

Mr. Dunbar presented the report of the Discipline Committee.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar—

1. Richard Joshua Horne.
2. David Walfish.
3. Michael Joseph Cloney.
4. Walter Maurice Dales.
5. Edward Ernest Follwell.

6. Ian Macdonald.
7. Marjorie Leona Horenblas.
8. Leo Joseph Trottier.
9. Philip Ephraim Band.
10. Matthew Graham Kneale.
11. Arthur Henry Krieger.
12. Peter Levine.
13. Peter Bradbery Parker.
14. Arthur H. Zaldin (with Honours).
15. Ernest Bradley Griffith.
16. John Stuart McKinnon.

DISCIPLINE COMMITTEE REPORTS.
(Continued)

RE ROBERT WHERRY.

Mr. Dunbar presented the report of the Discipline Committee.

On motion of Mr. Dunbar, seconded by Mr. White, the report was adopted and it was ordered that the Petitioner be reinstated as a Barrister and Solicitor.

RE KENNETH ARNOLD MAHAFFY.

Mr. Dunbar referred to the report of the Discipline Committee which was read to the meeting of Convocation on the 21st March, 1940, and which still stands for consideration.

Mr. Dunbar reported on the Treasurer's conference with the Attorney-General's Department and read a letter dated November 19, 1940, from C. P. Hope, K.C. a solicitor to the Attorney-General's Department.

ORDERED that the matter be referred back to the Discipline Committee for further consideration.

ORDER.

The Secretary placed before Convocation the following Order—

Re Isaac Greenizen—Order striking off the Rolls.

LIBRARY COMMITTEE REPORT.

Mr. Young.

The Committee recommends that there be inserted in the Ontario Weekly Notes a request that readers do not mark library books.

The Committee recommends that the Finance Committee be requested to reconsider the matter of the adequacy of the insurance on library books.

The Committee recommends that the Canadian House of Commons Debates for 1938 and succeeding years, be purchased.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

The Renfrew Law Library Association having filed its Annual Returns for the year 1939 and otherwise complied with the Rules adopted from time to time relating to County Law Associations, the Committee recommends that Convocation approve its grant for 1940 of $184.00, and authorize payment thereof, subject to arrangements having been made satisfactory to the Chairman of the Committee as to its outstanding accounts.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Chairman referred to three letters dated November 9th, 15th, and 20th, 1940, from Isaac Greenizen with reference to his recent disbarment.

Ordered that the correspondence be received and filed.

The Chairman referred to letters dated November 13th and November 20th, 1940, from Mr. John McColeman, Barrister of North Bay with reference to the Law Society Amendment Act 1940.

Ordered that the correspondence be referred to the Committee on Unauthorized Practice.

RE ONTARIO SECTION OF THE CANADIAN BAR ASSOCIATION.

The Chairman referred to the meeting of the Association to be held in Toronto on Saturday, February 1st, 1941, and the question of entertainment of the members and accommodation.

It was directed that the Society should not provide any entertainment but should offer the Association the use of Convocation Hall for the meetings.

RE COUNCIL OF THE CANADIAN BAR ASSOCIATION.

The Chairman referred to the Mid-Winter meeting of the Council to be held in Toronto on Friday, January 31st, 1941, and the question of entertainment and accommodation.

ORDERED that the matter be referred to the Treasurer and the Chairman of the Finance Committee with power to act.

RE INTER-AMERICAN BAR ASSOCIATION.

The Chairman read a letter from the Treasurer with reference to this matter and Mr. Kenneth F. Mackenzie, K.C., vice-president for Ontario of the Canadian Bar Association, addressed Convocation.

Moved by Mr. Nickle, seconded by Mr. Marshall, and carried that the matter be referred to a Special Committee to be composed of The Treasurer, and Messrs. Cassels, Geary, and McCrea for consideration and report back to the January meeting of Convocation.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.